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## Regulations

### TITLE 7—AGRICULTURE

#### Chapter XI—War Food Administration (Distribution Orders)

[FDO 79-73]

#### PART 1401—DAIRY PRODUCTS

##### FLUID MILK AND CREAM IN SAN DIEGO, CALIF., SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.85 *Quota restrictions*—(a) *Definitions*. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79 as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area*. The following area is hereby designated as a "milk sales area" to be known as the San Diego, California, sales area, and is referred to hereinafter as the "sales area":

The entire area included in the marketing area now designated by the Director of Agriculture of the State of California pursuant to the provisions of Chapter 10, Division 4, of the Agricultural Code of the State of California as the San Diego County Marketing Area.

(c) *Base period*. The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota period*. The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respec-

tively, is hereby designated as a quota period for the sales area.

(e) *Handler quotas*. Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (1) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk: 100 percent; (ii) butterfat in milk: 100 percent; (iii) cream: 75 percent; (iv) butterfat in cream: 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese: 75 percent; and (vi) cottage, pot, or baker's cheese: 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations*. No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (1) hereof: *Provided*, That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as determined by the market agent, in cream quotas.

(g) *Quotas for handlers who are also producers*. Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(h) *Handler exemptions*. Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 300 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in

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volume of the following: (1) Milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliv-

eries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardships.* (1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(l) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding

quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12:01 a. m., e. w. t., November 1, 1943.

Issued this 22d day of October 1943.

C. W. KITCHEN,  
Acting Director of Food Distribution.

[F. R. Doc. 43-17181; Filed, October 22, 1943;  
11:37 a. m.]

[FDO 79-74]

#### PART 1401—DAIRY PRODUCTS

##### FLUID MILK AND CREAM IN SAN JOSE, CALIF., SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.84 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the San Jose, California, sales area, and is referred to hereinafter as the "sales area":

The entire area included in the marketing area now designated by the Director of Agriculture of the State of California pursuant to the provisions of Chapter 10, Division 4, of the Agricultural Code of the State of California as the Santa Clara County Marketing Area.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota period.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk: 100 percent; (ii) butterfat in milk: 100 percent; (iii) cream: 75 percent; (iv) butterfat in cream: 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese: 75 percent; and (vi) cottage, pot, or baker's cheese: 75 percent of skim milk equivalent. (For the purpose of this order, 1 pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof: *Provided,* That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as determined by the market agent in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 300 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) Milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts or cream

from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardships.* (1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(l) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Direc-

tor may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12.01 a. m., e. w. t. November 1, 1943.

Issued this 22d day of October, 1943.

C. W. KITCHEN,  
Acting Director of Food Distribution.

[F. R. Doc. 43-17182; Filed, October 22, 1943;  
11:37 a. m.]

[FDO 79-75]

#### PART 1401—DAIRY PRODUCTS

##### FLUID MILK AND CREAM IN LOS ANGELES, CALIF., METROPOLITAN SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.87 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Los Angeles, California, metropolitan sales area, and is referred to hereinafter as the "sales area":

The entire area included in the marketing areas now designated by the Director of Agriculture of the State of California pursuant to the provisions of Chapter 10, Division 4, of the Agricultural Code of the State of California, as the Los Angeles County Marketing Area, the Orange County Marketing Area, and the San Bernardino-Riverside Marketing Area.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota period.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk: 100 percent; (ii) butterfat in milk: 100 percent; (iii) cream: 75 percent; (iv) butterfat in cream: 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese: 75 percent; and (vi) cottage, pot, or baker's cheese, 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof: *Provided,* That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as de-

termined by the market agent, in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total deliveries of such handlers in the base period.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 300 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) Milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardships.* (1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(1) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(i) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12:01 a. m., e. w. t. November 1, 1943.

Issued this 22d day of October 1943.

C. W. KITCHEN,  
Acting Director of Food Distribution.

[F. R. Doc. 43-17183; Filed, October 22, 1943;  
11:37 a. m.]

[FDO 79-76]

#### PART 1401—DAIRY PRODUCTS

##### FLUID MILK AND CREAM IN SAN FRANCISCO BAY REGION SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.83 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the San Francisco Bay region sales area, and is referred to hereinafter as the "sales area":

The entire area included in the marketing areas now designated by the Director of Agriculture of the State of California pursuant to the provisions of Chapter 10, Division 4, of the Agricultural Code of the State of California, as the San Francisco County Marketing Area, the San Mateo County Marketing Area, the Marin County Marketing Area, and the Alameda-Contra Costa Marketing Area.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota period.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (1) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk: 100 percent; (ii) butterfat in milk: 100 percent; (iii) cream: 75 percent; (iv) butterfat in cream: 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese: 75 percent; and (vi) cottage, pot, or baker's cheese: 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof: *Provided*, That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as determined by the market agent, in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 300 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) Milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of

deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardships.*

(1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(l) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms

of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12:01 a. m., e. w. t., November 1, 1943.

Issued this 22d day of October 1943.

C. W. KITCHEN,  
Acting Director of Food Distribution.

[F. R. Doc. 43-17184; Filed, October 22, 1943;  
11:37 a. m.]

[FDO 79-77]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SACRAMENTO,  
CALIF., SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.86 *Quota restrictions—(a) Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Sacramento, California, sales area, and is referred to hereinafter as the "sales area":

The entire area included in the marketing area now designated by the Director of Agriculture of the State of California pursuant to the provisions of Chapter 10, Division 4, of the Agricultural Code of the State of California as the Sacramento Marketing Area.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota period.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk: 100 percent; (ii) butterfat in milk: 100 percent; (iii) cream: 75 percent; (iv) butterfat in cream: 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese: 75 percent; and (vi) cottage, pot, or baker's cheese: 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof: *Provided*, That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as determined by the market agent, in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who

are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 300 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) Milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardships.* (1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Di-

rector and may be affirmed, modified, or reversed by the Director.

(1) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedule.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month, an assessment of \$0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12:01 a. m., e. w. t., November 1, 1943.

Issued this 22d day of October 1943.

C. W. KITCHEN,  
Acting Director of Food Distribution.

[F. R. Doc. 43-17185; Filed, October 22, 1943;  
11:37 a. m.]

[FDO 79-81]

#### PART 1401—DAIRY PRODUCTS

##### FLUID MILK AND CREAM IN NEW YORK-NEW JERSEY METROPOLITAN MILK SALES AREA

Pursuant to authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.47 *Quota restrictions.*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended;

(2) The term "Food Distribution Order No. 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended;

(3) The term "skim milk beverage" means skim milk, buttermilk, chocolate drink, or any other beverage containing more than 85 percent skim milk and less than 3 percent butterfat;

(4) The term "sour cream" means cream which has been fermented by means of a lactic acid or other harmless milk culture, and which is commonly sold under the name of sour cream.

(5) The term "regulated", when used in conjunction with the term "milk," "cream other than sour cream," "sour cream," "skim milk beverage," "cottage, pot, or baker's cheese," or "product," means milk, cream other than sour cream, sour cream, skim milk beverage, cottage, pot, or baker's cheese, or product, delivered to retail purchasers, to stores, to public eating places, to other wholesale purchasers, and to subhandlers for which latter no bases and quotas have been established;

(6) The term "retail purchaser" means any person who purchases milk, milk byproducts, or cream, including sour cream, at retail for personal, family, or household consumption;

(7) The term "store" means a merchandising establishment of fixed situs, the operator of which purchases milk and other food products for resale primarily for consumption off the premises;

(8) The term "public eating place" means any place in which food, prepared

and ready for sale or consumption either on or off the premises where sold, is served, sold, or offered for sale; and such term includes, but is not necessarily limited to, any hotel, club, restaurant, cafe, cafeteria, caterer, inn, railroad diner, lunch room, sandwich stand, or drug store which serves, sells, or offers food for sale, as aforesaid. Any institution of voluntary or involuntary confinement, such as a hospital, sanitarium (or sanatorium), asylum, penal institution, or school, is not a "public eating place";

(9) The term "wholesale purchaser" means any person who purchases milk, milk byproducts, or cream, including sour cream, for purposes of resale, or use in other than personal, family, or household consumption, except (i) other handlers, (ii) purchasers engaged in the processing of milk, milk byproducts, or cream who do not distribute milk, milk byproducts, or cream, including sour cream, in the sales area, (iii) those purchasers specifically exempt from quota restrictions by Food Distribution Order No. 79, (iv) nursery, elementary, junior high and high school, and (v) hospitals.

(10) The term "producer-handler" means a handler who delivers milk produced only by his own herd and in a total quantity of less than 600 quarts per day;

(11) The term "subhandler" means a handler, such as a peddler or subdealer, who purchases milk in the same package in which it is delivered to purchasers; *Provided*, That a handler who handles more than 1,000 quarts of milk per day, or more than 500 quarts of cream per day, shall not be deemed a subhandler;

(12) The term "product" means milk, cream other than sour cream, sour cream, skim milk beverage, or cottage, pot, or baker's cheese;

(13) The term "b. f." used in connection with the title of the conversion table in (c) hereof means butter fat.

(b) *Milk sales area*. The following area is hereby designated as a milk sales area to be known as the New York-New Jersey Metropolitan Milk Sales Area and referred to hereinafter as the "sales area":

In the State of New York: City of New York; Nassau County; Rockland County; Suffolk County (except Fisher's Island); and Westchester County. In the State of New Jersey: Bergen County; Essex County; Hudson County; Union County; Middlesex County (except Cranbury township, Plainsboro township, and South Brunswick); Monmouth County (except Allentown borough, Atlantic township, Englishtown borough, Farmingdale borough, Freehold borough, Freehold township, Holmdel township, Howell township, Jersey Homesteads borough, Manalapan township, Marlboro township, Millstone township, Shrewsbury township, Upper Freehold township, and Wall township); Morris County (except Chester borough, Chester township, Dover town, Jefferson township, Mendham borough, Mendham township, Mine hill township, Mount Arlington borough, Mount Olive township, Netcong borough,

Randolph township, Rockaway township, Roxbury township, Washington township, and Wharton borough); and Passaic County (except Ringwood borough, and West Milford township.) The following minor civil divisions of Somerset County: Bound Brook borough, Green Brook township, North Plainfield borough, South Bound Brook borough, and Watchung borough, all in the State of New Jersey.

(c) *Bases and base period*. The handler's daily average delivery of each regulated product in the base period adjusted for transfers in accordance with (h) hereof shall be his base. The base for milk and skim milk beverages shall be computed in terms of quarts, for cream (including sour cream) in terms of milk equivalent in accordance with the conversion table set forth in (o) hereof, and for cottage, pot, or baker's cheese in terms of pounds of product. The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota periods*. The remainder of the calendar month in which this order becomes effective and each subsequent calendar month is hereby designated as a quota period for the sales area.

(e) *Handler quotas*. No handler shall deliver during any quota period a quantity of any regulated product in excess of his base for that product, multiplied by the number of days in the quota period and by the following applicable percentages: (1) Milk, 100 percent; (2) milk equivalent of cream other than sour cream, 75 percent; (3) milk equivalent of sour cream, 75 percent; (4) skim milk beverages, 75 percent; (5) cottage, pot or baker's cheese: 75 percent; *Provided*, That a handler may, upon application to and approval by the market agent, secure an increase in milk quota through an equivalent reduction in cream and milk byproduct quotas.

(f) *Producer-handler quotas*. Each producer-handler's quota shall be 100 percent of milk produced.

(g) *Subhandler quotas*. No bases or quotas shall be established for deliveries by subhandlers except as provided in (h) hereof.

(h) *Transfer and apportionment of bases and quotas*. The market agent is empowered to transfer bases upon application by a handler making the deliveries from which such bases were derived on the effective date of this order and upon a showing of unreasonable hardship by the applicant. Upon application by a subhandler, the market agent is empowered to transfer from a handler to such subhandler that part of the handler's base and quota derived from delivery in the base period by such handler to such subhandler.

Denials or grants of transfers by the market agent shall be reviewed by the Director upon application.

(i) The distribution schedules, if any, to be followed by the handlers in making

deliveries shall be made effective in the terms of approval by the Director of such schedules.

(j) *Petition for relief from hardship*. Any person considering that compliance with Food Distribution Order No. 79, or any instrument issued thereunder, would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(j-1) *Relief*. After investigation, the market agent shall certify the petition to the Director, but prior to certification the market agent may:

- (1) Deny the petition; or
- (2) Grant temporary relief for a total period not to exceed 60 days.

Denials or grant of relief by the market agent shall be reviewed by the Director, and may be affirmed, modified or reversed by him.

(k) *Reports*. Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' bases;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers whose deliveries are exempt from quotas shall, upon request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(l) *Records*. Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall request for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of Food Distribution Order No. 79 and which is necessary to verify compliance with the provisions of this order.

(m) *Expense of administration*. Each handler except producer-handlers and subhandlers having no bases and quotas shall pay to the market agent at the time of filing the reports required under (k) (2), an assessment of 2 cents per 100 quarts of regulated milk, or milk equivalent of cream delivered during the quota

period. Whenever verification by the market agent of information supplied by a handler discloses errors in assessment payment to the market agent, he shall bill the handler for any unpaid amount, and the handler shall, within 5 days, make payment to the market agent of the amount so billed. Whenever verification discloses that the handler made an overpayment, the market agent shall, within 5 days, return such overpayment to such handler.

(n) *Liquidation.* Upon the termination or suspension hereof, the market agent shall, if so directed by the Director, liquidate the business of the market agent's office and dispose of all funds and property then in his possession or under his control, together with claims receivable, unpaid and owing at the time of such termination or suspension. Any funds over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market agent in liquidating the business of the market agent's office shall be distributed by the market agent in accordance with instructions issued by the Director.

(c) *Conversion table.*

QUARTS OF 3.5 PERCENT B. F. MILK EQUIVALENT OF A QUART OF CREAM AT VARIOUS BUTTER-FAT TESTS

Cream (percent b. f.):	Milk equivalent (quarts)
6.....	1.71
7.....	2.00
8.....	2.28
9.....	2.56
10.....	2.85
11.....	3.13
12.....	3.41
13.....	3.69
14.....	3.98
15.....	4.26
16.....	4.54
17.....	4.82
18.....	5.10
19.....	5.38
20.....	5.65
21.....	5.93
22.....	6.21
23.....	6.49
24.....	6.76
25.....	7.04
26.....	7.31
27.....	7.58
28.....	7.85
29.....	8.13
30.....	8.40
31.....	8.67
32.....	8.95
33.....	9.22
34.....	9.50
35.....	9.77
36.....	10.04
37.....	10.31
38.....	10.58
39.....	10.85
40.....	11.12
41.....	11.39
42.....	11.66
43.....	11.93
44.....	12.20
45.....	12.47
46.....	12.74
47.....	13.00
48.....	13.27
49.....	13.54

No. 211—2

QUARTS OF 3.5 PERCENT B. F. MILK EQUIVALENT OF A QUART OF CREAM AT VARIOUS BUTTER-FAT TESTS—Continued

Cream (percent b. f.)—Continued.	Milk equivalent (quarts)
50.....	13.80
51.....	14.07
52.....	14.34
53.....	14.60
54.....	14.86
55.....	15.13

(p) *Bureau of the Budget approval.* The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(q) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(r) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., November 1, 1943.

Issued this 21st day of October 1943.

ROY F. HENDRICKSON,  
Director of Food Distribution.

[F. R. Doc. 43-17179; Filed, October 22, 1943; 11:37 a. m.]

[FDO 41, Termination]

PART 1495—EGGS AND EGG PRODUCTS

LIQUID, DRIED, AND FROZEN EGGS, AND EGG PRODUCTS

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and Executive Order No. 9322, dated March 26, 1943, as amended by Executive Order No. 9334, dated April 19, 1943, it is hereby ordered, as follows:

That Food Distribution Order No. 41, issued by the Secretary of Agriculture on March 22, 1943 (8 F.R. 3564), restricting the distribution and production of liquid, dried, and frozen eggs, and egg products, be, and the same is hereby, terminated at 12:01 a. m., e. w. t., October 22, 1943.

With respect to violations of said Food Distribution Order No. 41, rights accrued, liabilities incurred, or appeals taken under said order, prior to the effective time of the termination thereof, said Food Distribution Order No. 41 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 21st day of October 1943.

MARVIN JONES,  
War Food Administrator.

[F. R. Doc. 43-17180; Filed, October 22, 1943; 11:37 a. m.]

[FDO 34, Amdt. 1]

PART 1460—FATS AND OILS

GLYCERINE

Correction

In F.R. Doc. 43-16989, appearing at page 14194 of the issue for Wednesday, October 20, 1943, § 1460.3 (a) (1) should read as follows:

(1) "Glycerine" means any and all concentrations of glycerol, from whatever source derived and whether crude or refined.

[FDO 86]

PART 1460—FATS AND OILS

SOAP

Correction

In F.R. Doc. 43-16991, appearing at page 14193 of the issue for Wednesday, October 20, 1943, paragraph (a) (10), in the second column, should read as follows:

(10) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

In paragraph (d) (5), third column, "42% of the rosin soap" should read "42%, and rosin soap."

[FDO 78, as Amended, Amdt. 1 of Partial Suspension]

PART 1460—FATS AND OILS

PEANUTS AND PEANUT BUTTER

Pursuant to the authority vested in the War Food Administrator, the Order (8 F.R. 13381) issued by the War Food Administrator on September 30, 1943, which partially suspended the operation of Food Distribution Order 78, as amended, is hereby amended to read as follows:

That the restrictions of paragraphs (b) and (c) of Food Distribution Order 78, as amended (8 F.R. 12040; 12603), § 1460.29 (b) and (c), shall not apply to the use or consumption of peanuts or peanut butter by any person, when such use or consumption occurs, or has occurred, on or after September 1, 1943. (E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 21st day of October 1943.

MARVIN JONES,  
War Food Administrator.

[F. R. Doc. 43-17186; Filed, October 22, 1943; 11:37 a. m.]

## TITLE 29—LABOR

## Chapter II—National Labor Relations Board

## PART 202—PROCEDURE UNDER SECTION 10 OF THE ACT FOR THE PREVENTION OF UNFAIR LABOR PRACTICES

By virtue of the authority vested in it by the National Labor Relations Act, approved July 5, 1935, the National Labor Relations Board hereby issues the following amendments to its Rules and Regulations, Series 2, as amended (General Rules and Regulations) which it finds necessary to carry out the provisions of said Act. Said amendments to the Rules and Regulations, Series 2, as amended, shall become effective upon the signature of the original amendments by the members of the Board, and upon the publication thereof in the FEDERAL REGISTER.

Sections 202.33 and 202.37, National Labor Relations Board Rules and Regulations, Series 2, as amended, are hereby amended in the following manner:

Section 202.33 is amended by inserting the words "or counsel for the Board" immediately after the word "party" in both the first and the second sentences thereof.

Section 202.37 is amended by inserting the words "or counsel for the Board" immediately after the word "party" in both the first and second sentences of paragraph (d) thereof.

As amended, §§ 202.33 and 202.37, Rules and Regulations, Series 2, as amended, shall read as follows:

§ 202.33 *Exceptions; time for filing; where to file; service on parties; extension of time; effect of failure to include matter in exception.* Within fifteen days from the date of the entry of the order transferring the case to the Board, pursuant to § 202.32, any party or counsel for the Board may file with the Board at Washington, D. C., an original and four copies of a statement in writing setting forth such exceptions to the intermediate report or to any other part of the record or proceeding (including rulings upon all motions or objections) as he relies upon, together with the original and four copies of a brief in support thereof. Immediately upon the filing of the statement of exceptions and brief, the party or counsel for the Board filing the same shall serve a copy thereof upon each of the other parties and shall file a copy with the Regional Director. Upon proper cause shown, the Board may extend the period within which to file a statement of exceptions or brief.

No matter not included in a statement of exceptions may thereafter be objected to before the Board, and failure to file a statement of exceptions shall operate as a submission of the case to the Board on the record.

Should any party desire permission to argue orally before the Board, request therefor must be made in writing to the Board within ten days after the date of the entry of the order transferring the case to the Board (or in Board cases the date of filing the intermediate report), pursuant to § 202.32. The Board shall

notify the parties of the time and place for oral argument, if such permission is granted.

(Sec. 6 (a), 49 Stat. 452; 29 U.S.C. 1940 ed. 156)

§ 202.37 *Procedure before Board in cases over which it has assumed jurisdiction.* After a hearing for the purpose of taking evidence upon the complaint in any proceeding over which the Board has assumed jurisdiction in accordance with § 202.36, the Board may:

(a) Direct that the Trial Examiner prepare an intermediate report, in which case the provisions of §§ 202.32 to 202.35, inclusive, shall insofar as applicable govern subsequent procedure, and the powers granted to Regional Directors in such provisions shall for the purpose of this section be reserved to and exercised by the Board;

(b) Reopen the record and receive further evidence before a member of the Board, or other agent or agency;

(c) Issue proposed findings of fact, proposed conclusions of law, and proposed order;

(d) Make other disposition of the case. Within fifteen days from the date of filing the intermediate report pursuant to paragraph (a) of this section, or from the date of issuance of proposed findings of fact, proposed conclusions of law, and proposed order, pursuant to paragraph (c) of this section, any party or counsel for the Board may file with the Board at Washington, D. C., an original and four copies of a statement in writing setting forth such exceptions to the intermediate report, or to the proposed findings, conclusions, and order, as the case may be, or to any other part of the record or proceeding (including rulings upon all motions or objections) as he relies upon, together with the original and four copies of a brief in support thereof. Immediately upon the filing of the statement of exceptions and brief the party or counsel for the Board filing the same shall serve copies with the Regional Director. Upon proper cause shown, the Board may extend the period within which to file a statement of exceptions or brief.

Should any party desire permission to argue orally before the Board, request therefor must be made in writing to the Board within ten days after the date of the intermediate report or the date of the proposed findings, conclusions, and order, as the case may be. The Board shall notify the parties of the time and place for the oral argument, if such permission is granted. Thereafter the Board shall forthwith decide the matter or make other disposition of the case.

(Sec. 6 (a), 49 Stat. 452; 29 U.S.C. 1940 ed. 156)

Signed at Washington, D. C., this 19th day of October 1943.

[SEAL]

H. A. MILLIS,  
Chairman.  
JOHN M. HOUSTON,  
Member.

[F. R. Doc. 43-17126; Filed, October 21, 1943; 3:36 p. m.]

## PART 203—PROCEDURE UNDER SECTION 9 (C) OF THE ACT FOR THE INVESTIGATION OF REPRESENTATIVES

By virtue of the authority vested in it by the National Labor Relations Act, approved July 5, 1935, the National Labor Relations Board hereby issues the following amendments to its rules and regulations, Series 2, as amended (General Rules and Regulations) which it finds necessary to carry out the provisions of said Act. Said amendments to the Rules and Regulations, Series 2, as amended, shall become effective upon the signature of the original amendments by the members of the Board, and upon the publication thereof in the FEDERAL REGISTER.

Sections 203.1 and 203.3, National Labor Relations Board Rules and Regulations, Series 2, as amended, are hereby amended in the following manner: § 203.1 is amended by striking out the words "blank forms provided" in the hearing thereof, by striking out the words "the issuance of a notice of hearing pursuant to § 203.3" in the first sentence thereof and by substituting therefor the words "the hearing thereon, pursuant to §§ 203.3 and 203.6," and by striking out the word "thereafter" in the third sentence thereof and by substituting therefor the words "during the hearing, and thereafter."

Section 203.3 is amended by adding to the heading thereof the words "withdrawal of notice," and by adding at the end thereof the sentence "Any such notice of hearing may be withdrawn before the hearing by the Regional Director on his own motion." As amended, §§ 203.1 and 203.3, Rules and Regulations, Series 2, as amended, shall read as follows:

§ 203.1 *Who may file; where to file; withdrawal of petition; form; jurat.* A petition to investigate and certify under section 9 (c) of the Act the name or names of representatives designated or selected for the purpose of collective bargaining may be filed by an employee or any person or labor organization acting on behalf of employees, or by an employer. Prior to the hearing thereon, pursuant to §§ 203.3 and 203.6, a petition may be withdrawn only with the consent of the Board or of the Regional Director with whom such petition was filed. During the hearing, and thereafter, a petition may be withdrawn only with the consent of the Board. Whenever the Board or the Regional Director approves the withdrawal of any petition the case shall be closed. Except as provided in § 203.11, such petition shall be filed with the Regional Director for the region wherein the contemplated bargaining unit exists, or, if the contemplated bargaining unit exists in two or more regions, with the Regional Director for any of such regions. Such petition shall be in writing, the original being signed and sworn to before any notary public or other person duly authorized by law to administer oaths and take acknowledgments or any agent of the Board authorized to administer oaths or acknowledgments. Three copies of the petition shall be filed.

(Sec. 6 (a), 49 Stat., 452; 29 U.S.C. 1940 ed. 156)

§ 203.3 *Same; investigation by Regional Director; definition of parties; notice of hearing; service of notice; withdrawal of notice.* After a petition has been filed, if it appears to the Regional Director that an investigation should be instituted he shall institute such investigation by issuing a notice of hearing, provided that the Regional Director shall not institute an investigation on a petition filed by an employer unless it appears to the Regional Director that two or more labor organizations have presented to the employer conflicting claims that each represents a majority of the employees in the bargaining unit or units claimed to be appropriate. The Regional Director shall prepare and cause to be served upon the petitioners and upon the employer or employers involved (all of whom are hereinafter referred to as "the parties"), and upon any known individuals or labor organizations purporting to act as representatives of any employees directly affected by such investigation, a notice of hearing upon the question of representation before a Trial Examiner at a time and place fixed therein: *Provided*, That when the petition is filed by an employer the Regional Director shall serve the notice of hearing on the employer petitioner and on the labor organizations named in the petition (all of whom are hereinafter referred to as "the parties"), and upon any known individuals or labor organizations purporting to act as representatives of any employees directly affected by such investigation. A copy of the petition shall be served with such notice of hearing. Any such notice of hearing may be withdrawn before the hearing by the Regional Director on his own motion.

(Sec. 6 (a), 49 Stat., 452; 29 U.S.C. 1940 ed. 156)

Signed at Washington, D. C., this 12th day of October 1943.

[SEAL] H. A. MILLIS,  
Chairman.  
JOHN M. HOUSTON,  
Member.

[F. R. Doc. 43-17128; Filed, October 21, 1943; 3:36 p. m.]

#### PART 207—RECORDS AND INFORMATION

By virtue of the authority vested in it by the National Labor Relations Act, approved July 5, 1935, the National Labor Relations Board hereby issues the following amendments to its Rules and Regulations, Series 2, as amended (General Rules and Regulations) which it finds necessary to carry out the provisions of said Act. Said amendments to the Rules and Regulations, Series 2, as amended, shall become effective upon the signature of the original amendments by the members of the Board, and upon the publication thereof in the FEDERAL REGISTER.

Chapter II (National Labor Relations Board Rules and Regulations, Series 2,

as amended) is hereby amended in the following manner:

1. By the insertion of a new part (and article) to be known as Part 207 (Article VII) to read as follows:

§ 207.1 *Files, records, etc. in exclusive custody of Board and not subject to inspection; formal documents subject to inspection.* All files, documents, reports, memoranda, and records, and the contents thereof, whether in the Regional Offices of the Board or in its principal office in the District of Columbia, are in the exclusive control and custody of the Board for the purpose of administering and effectuating the policies of the Act; and are confidential and not subject to inspection or examination except that the formal documents described as the record in the case or proceeding and defined in § 202.32; and §§ 203.8 and 203.10 of this chapter, shall be open to inspection and examination during usual business hours, within the appropriate office of the Board, and true and correct copies thereof will be certified upon submission of such copies a reasonable time in advance of need.

§ 207.2 *Same; Board employees prohibited from producing files, records, etc., pursuant to subpoena duces tecum, prohibited from testifying in regard thereto.* No Regional Director, Examiner, Trial Examiner, attorney, specially designated agent, member of the Board or other officer or employee of the Board shall produce or present any files, documents, reports, memoranda, or records of the Board or testify in behalf of any party to any cause pending in any court or before any Board, Commission, or other administrative agency of the United States or of any State, Territory, or the District of Columbia with respect to any information, facts, or other matter coming to his knowledge in his official capacity or with respect to the contents of any files, documents, reports, memoranda, or records of the Board, whether in answer to a subpoena, subpoena duces tecum or otherwise without the written consent of the Board or the Chairman of the Board. Whenever any subpoena or subpoena duces tecum calling for records or testimony as described hereinabove shall have been served upon any such persons or other officer or employee of the Board, he will, unless otherwise expressly directed by the Board or the Chairman of the Board, appear in answer thereto and respectfully decline by reason of this section to produce or present such files, documents, reports, memoranda or records of the Board or to give such testimony.

(Sec. 6 (a), 49 Stat. 452; 29 U.S.C., 156)

2. By redesignating former Parts 207, 208, and 209 (Articles VII, VIII, and IX) as Parts 208, 209, 210 (Articles VIII, IX, and X).

H. A. MILLIS,  
Chairman.  
JOHN M. HOUSTON,  
Member.

[F. R. Doc. 43-17127; Filed, October 21, 1943; 3:36 p. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter IX—War Production Board

#### Subchapter B—Executive Vice-Chairman

**AUTHORITY:** Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

#### PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Interpretation 1 as Amended Oct. 21, 1943, of § 944.1 of Priorities Reg. 1]

The following amended interpretation is issued with respect to Priorities Regulation 1.

(a) Section 944.1 (b) defines "defense order" to mean, among other things, any contract or purchase order for material or equipment to be delivered to or for the accounts of the Army or Navy of the United States, the Panama Canal or the Coast Guard. At the present time the Panama Canal is part of the Army and the Coast Guard is part of the Navy. Some question has arisen as to whether the specific enumeration in Priorities Regulation No. 1 of the Panama Canal and the Coast Guard means that they do not fall within general references to the Army and Navy in other regulations and orders of the War Production Board. In particular, inquiries have been made as to whether exemptive provisions in limitation and conservation orders in favor of the Army and Navy also provide exemptions for the Panama Canal and the Coast Guard when the latter are not specifically mentioned.

An exemptive or other provision applicable to the Army also applies to the Panama Canal, and a provision applicable to the Navy to the Coast Guard, unless the provision expressly states otherwise.

(b) Question has also been raised as to the status of the Office of Strategic Services under § 944.1 (b) and similar general references to the Army and Navy in other regulations and orders of the War Production Board.

The operations of the Office of Strategic Services are under the direction and supervision of the Joint Chiefs of Staff. Therefore, any provision in a regulation or order of the War Production Board which applies to both the Army and the Navy (but not a provision which applies to the Army alone or to the Navy alone) also covers the Office of Strategic Services.

Issued this 21st day of October 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-17113; Filed, October 21, 1943; 12:41 p. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-309, Amdt. 1]

##### HOME STOVE COMPANY

Home Stove Company, Indianapolis, Indiana, has appealed from the terms of Suspension Order S-309, issued May 1, 1943. The Chief Compliance Commissioner, after considering the facts on appeal, has determined that in the interests of the heating program of the War Production Board, Home Stove Company should be permitted to sell for repair

purposes heating stove and furnace parts which it has now in stock.

In view of the foregoing: *It is hereby ordered*, That paragraph (a) of § 1010.309 Suspension Order S-309, issued May 1, 1943, shall be amended to read as follows:

(a) Home Stove Company, its successors or assigns, shall not purchase, accept delivery of, manufacture, fabricate, assemble, sell, deliver or deal in any cooking or heating appliances or furnaces of any kind, or parts thereof, except with the written approval of the Regional Compliance Chief, Chicago Regional Office, War Production Board. Nothing contained in this paragraph shall prohibit Home Stove Company from selling or delivering for repair purposes heating stove and furnace parts which it has now in stock.

Issued this 21st day of October 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-17114; Filed, October 21, 1943;  
12:42 p. m.]

#### PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-314]  
LUBRICATION EQUIPMENT

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of materials used in the production of lubrication equipment, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1226.127 *General Limitation Order L-314—(a) Definitions.* For the purposes of this order:

(1) "Lubrication equipment" means any new machinery, equipment, device, or appliance for dispensing grease, oil, or other lubricant, or for applying a lubricant to any machinery or equipment at any point requiring lubrication; including general and special purpose lubrication equipment, lubrication fittings, oil and grease cups and receptacles, and hand oilers, as defined in Schedules A to E, inclusive, attached hereto.

(2) "Manufacturer" means any person who constructs, manufactures, or assembles lubrication equipment for resale.

(3) "Distribution outlet" means any person to the extent that he engages in selling lubrication equipment to jobbers or other wholesalers. The term includes (but is not limited to) a manufacturer's sales agency, branch warehouse or other sales or distribution outlet, if so engaged.

(4) "Jobber or other wholesaler" means any person (other than a manufacturer) to the extent that he engages in selling lubrication equipment to retail dealers. The term does not include retail dealers selling to other retail dealers or repair shops in quantities of \$25.00 or less per month per customer.

(b) *Restrictions on acceptance and deliveries of orders—(1) Retail sales.* After October 31, 1943, no person shall accept any order for lubrication equipment having a retail value of more than \$25, from any person acquiring the equipment for his own use in dispensing or applying lubricants, or deliver more than that amount of such equipment to any such person under any order tendered after that date, unless the order is rated AA-5 or higher. No purchaser acquiring equipment for his own use shall divide his purchases into more than one order for the purpose of bringing them within the \$25 exemption thus allowed, or purchase more than that amount of equipment during any thirty-day period without a rating of AA-5 or higher on the excess.

(2) *General distribution.* After October 31, 1943, no manufacturer or distribution outlet shall accept any order for lubrication equipment from a jobber or other wholesaler unless the order bears a preference rating of AA-5 or higher.

After November 20, 1943, no manufacturer or distribution outlet shall deliver any lubrication equipment to a jobber or other wholesaler except to fill an order bearing a preference rating of AA-5 or higher.

These restrictions do not apply to orders for replacement fittings of the types in general use on automobiles, trucks, or buses.

(3) *Preference ratings required.* (i) A jobber or other wholesaler may extend ratings received from his customers. He may apply for additional ratings on Form WPB-547, formerly PD-1X, even though he buys from a distribution outlet, despite any inconsistent instruction accompanying such form.

(ii) A retail dealer is not required by this order to have any ratings for orders placed by him with any supplier, although he may extend any ratings received from his customers.

(iii) A distribution outlet engaged in the business of buying and stocking or warehousing lubrication equipment and reselling it as such, may apply for a rating on Form WPB-547, formerly PD-1X, and may extend ratings received from jobbers or other wholesalers.

(4) *Equipment for military use only.* After November 20, 1943, no person shall deliver any lubrication equipment of the kinds designated "R" on Schedules A to E, inclusive, of this order, unless the equipment is for direct use by the United States Army, Navy, Maritime Commission, or War Shipping Administration, or the military forces of any country entitled to receive deliveries pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(c) *Production restrictions.* (1) After October 31, 1943, no manufacturer shall commence the manufacture of any lubrication equipment, except of the kind or description and in accordance with the restrictions on models, styles, and sizes, specified in Schedules A to E, inclusive.

(2) After December 20, 1943, no manufacturer shall continue the manufacture of any lubrication equipment, except of the kind or description and in accordance with the restrictions on models, styles and sizes specified in Schedules A to E, inclusive.

(3) The limitations and restrictions of subparagraphs (1) and (2) above shall not apply to or prohibit the following:

(i) The completion of any piece of lubrication equipment, from component parts that were fabricated prior to October 31, 1943, and which constitute not less than 80% of the finished piece of equipment (according to the aggregate weight of such parts), if the manufacturer cannot reasonably anticipate that he can utilize such parts as maintenance or repair parts within six months after that date; or

(ii) The fabrication or assembly of parts to be sold for maintenance or repair of lubrication equipment, where such parts would not be interchangeable with the replaced parts, if manufactured in accordance with this order.

(4) Beginning January 1, 1944, no manufacturer shall fabricate or assemble maintenance or repair parts in any calendar quarter in an amount exceeding, in dollar resale value, 150 per cent of the dollar resale value of maintenance and repair parts sold by him during the corresponding calendar quarter in the period from July 1, 1940 to June 30, 1941. This limit shall not apply to parts for direct use by the United States Army, Navy, Maritime Commission, or War Shipping Administration, or the military forces of any Lend-Lease country. As used in this paragraph (c), "maintenance" shall mean the upkeep of lubrication equipment in sound working condition, and "repair" shall mean the restoration without change of design of any portion of lubrication equipment to sound working condition when such portion has been rendered inoperative or unsafe or unfit for service by wear, or tear, damage, destruction, failure of parts, or other similar causes.

(d) *Conservation.* After November 20, 1943, no manufacturer shall fabricate, and after January 20, 1944, no manufacturer shall assemble, any lubrication equipment other than in accordance with the following restrictions, unless specifically permitted under Schedules A to E, inclusive:

(1) No aluminum, cadmium, chromium, bismuth, tin, copper, zinc or nickel, or alloys thereof, shall be used in the fabrication of parts, finishes, or plating, except in solder or bearings, and except that:

(i) Repair parts for lubrication equipment which was fabricated prior to November 20, 1943, may be made of the same material as the part to be repaired or replaced if and to the extent that parts fabricated in accordance with the restrictions of this paragraph (d) would not be interchangeable with such existing parts because of the change in materials used.

(ii) Copper or copper base alloys may be used for electrical conductors; valve metering pins or other valve metering

parts;  $\frac{1}{4}$ " pipe thread size or smaller valves having metering pins; valve seats; gaskets; ferrules for oil tight connections; bearings; wire gauze; worm gears; swivel forgings; inserts for die cast parts; brass parts made from rod stock; copper coating on steel tubing when necessary for welding of the tubing; standard installation accessories of centralized lubrication systems;  $\frac{1}{4}$ " O. D. or smaller tubing not over 6' in length for forming into special shapes where space limitations do not permit standard fittings to be used; parts which form the seat of ball valve oil hole covers or the body of revolving sleeve type oil hole covers if such parts, prior to October 21, 1943, were produced from special shaped stock made by extrusion and having a diameter of  $\frac{3}{8}$ " or less; and forgings for  $\frac{1}{2}$ " or less diameter elbow type oil fittings.

(iii) Zinc may be used for galvanizing, plating, and for die cast parts.

(iv) Chromium-stainless or chromium-nickel-stainless steel may be used for pump cylinder sleeves, pistons, valve seats or moving valve parts, and indicator rods which require free movement, for equipment listed on Schedule B.

(v) N. E. alloy steel may be used for cylinder sleeves, pistons, worm and drive shafts for equipment listed on Schedule B.

(vi) Nickel-copper alloy may be used in the manufacture of monel hydraulic fittings where designated in Schedules A to E, inclusive, but only for use aboard ships or amphibious equipment by the Army, Navy, Maritime Commission or War Shipping Administration where required by applicable specifications (other than performance specifications) of the agency for whose use the fittings are to be delivered.

(2) Rubber and synthetic rubber shall not be used except as permitted in Rubber Order R-1, as amended, or any relief granted pursuant to an appeal taken in accordance with the provisions of such order.

(3) No metal shall be used (except in small hardware, such as bolts, nuts, screws, washers, cotter pins and metal corner reinforcements) in the fabrication of tool boxes or structural frames for portable grease service stations; and no metal other than rerolled rail or Bessemer steel shall be used in individual grease and oil containers or hose reels.

(4) No surface of a part shall be polished or buffed except where such polishing or buffing is essential to accomplish a fit or seal, or when necessary for and followed by plating.

(5) The restrictions of this paragraph (d) do not apply to electric motors and switches, gas engines, and pressure gauges, or component parts of such motors, switches, engines, and gauges.

(e) *Exemptions.* The limitations and restrictions of paragraphs (c) and (d) shall not apply until January 20, 1944, to orders for lubrication equipment for direct use by the United States Army, Navy, Maritime Commission, or War Shipping Administration, or the military forces of any Lend-Lease country, to the extent that applicable specifications (including

performance specifications) of any such organization require construction, design, or materials not in accordance with the provisions of this order.

(f) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board regulations, as amended from time to time.

(2) *Reports.* On or before the 10th day of January, 1944, and the 10th day of each succeeding calendar month, each manufacturer shall file a report on WPB Form 3161, prepared in accordance with the instructions for that form.

(3) *Other limitation orders.* Nothing in this order shall be construed to permit any person to sell, deliver, or otherwise transfer, or any manufacturer to purchase, receive delivery of, or otherwise acquire any raw materials, semi-processed parts, or finished products in contravention of the terms of any L or M order, or amendments or supplements thereto, or other regulation of the War Production Board effective at the date of any such sale, delivery or other transfer. Where the limitations imposed by any other L or M order are applicable to the subject matter of this order, the most restrictive limitation shall apply, unless otherwise specifically provided herein.

(4) *Violations.* Any person who willfully violates any provision of this order, or who willfully furnishes false information to the War Production Board in connection with this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(5) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(6) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C. Ref: L-314.

NOTE: This reporting requirement has been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

Issued this 21st day of October 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE A—GENERAL PURPOSE LUBRICATION EQUIPMENT

"General purpose lubrication equipment" means air, electrical, manual or otherwise powered oil or grease dispensers, portable and stationary, high and low pressure, metering and non-metering; and any and all other devices and appliances used for the purpose of applying a lubricant to any point requiring lubrication.

Each manufacturer may produce only one model of each item on this schedule.

#### PUMPS AND TRANSFERS [Without base or shield]

Item No.	Capacity	Description
1 <sup>1</sup> .....	100 lbs...	Grease barrel pump (HP) single cylinder air motor.
2 <sup>1</sup> .....	100 lbs...	Grease barrel pump (MP) single cylinder air motor.
3 <sup>1</sup> .....	100 lbs...	Grease barrel pump (LP) single cylinder air motor.
4 <sup>1</sup> .....	100 lbs...	Grease barrel pump (LP) hand operated.
5 <sup>1</sup> .....	100 lbs...	Filler pump hand operated.
6 <sup>1</sup> .....	100 lbs...	Lubricant transfer hand operated.
7 <sup>1</sup> .....	400 lbs...	Grease barrel pump (HP) single cylinder air motor.
8 <sup>1</sup> .....	400 lbs...	Grease barrel pump (MP) single cylinder air motor.
9 <sup>1</sup> .....	400 lbs...	Grease barrel pump (LP) single cylinder air motor.
10 <sup>1</sup> .....	400 lbs...	Oil transfer, air operated.
11 <sup>1</sup> .....	400 lbs...	Lubricant transfer, single cylinder air motor.
12 <sup>1</sup> .....	400 lbs...	Oil transfer, hand operated.
13 <sup>1</sup> .....	400 lbs...	Grease barrel pump (HP), electrically operated.
14 <sup>1</sup> .....	400 lbs...	Grease barrel pump (LP), electrically operated.
15 <sup>1</sup> .....	55 gal.	Motor oil barrel pump, single cylinder air motor.
16 <sup>1</sup> .....	400 lbs...	Lubricant transfer, hand operated.

HP—High pressure.

MP—Medium pressure.

LP—Low pressure.

<sup>1</sup> Available for both Eastern and Western drums.

<sup>2</sup> With hood and drum cover.

<sup>3</sup> With drum cover only. No hood.

#### PORTABLE POWER OPERATED HIGH PRESSURE GREASE PUMPS

Item No.	Capacity	Description
17.....	40-50 lbs....	Single cylinder air motor (HD).
18.....	25-50 lbs....	Single cylinder air motor.
19 (R).....	25-50 lbs....	Single cylinder air motor, to hold 25 lb. bucket, with or without gun loader.
20.....	40-50 lbs....	Electrically operated (HD) hopper optional.
21.....	25-40 lbs....	Electrically operated, hopper optional.
22 (R).....	30-40 lbs. ea.	Gasoline engine (dual tank).
23.....	1 lb.....	Air motor operated.
24 (R).....	2 lbs.....	Air motor operated.

R—Sale restricted to Armed Forces.

HD—Heavy Duty.

#### PORTABLE MANUALLY OPERATED UNITS

Item No.	Capacity	Description
25.....	5 lbs.....	High Pressure Grease Pump (HO).
26.....	15-25 lbs...	High Pressure Grease Pump (FO) or (HO).
27.....	15-25 lbs...	Volume High Pressure Grease Pump (FO) or (HO).
28.....	25-35 lbs...	High Pressure Volume Bucket (HO).
29 (R).....	25-50 lbs...	Low Pressure Volume Bucket (HO). To hold 25 lb. bucket with or without gun loader.
30 (R).....	25-50 lbs...	High Pressure Volume Bucket (HO). To hold 25 lb. bucket with or without gun loader.
31.....	25-35 lbs...	Filler Bucket (HO).

R—Sale restricted to Armed Forces.

HO—Hand Operated.

FO—Foot Operated.

#### GREASE PACKS, MANUALLY OPERATED

Item No.	Capacity	Description
32 <sup>1</sup> .....	25 lbs...	Low pressure grease pack (HO).
33 <sup>1</sup> .....	25 lbs...	Low pressure grease pack (HO).
34 <sup>1</sup> .....	100 lbs...	Low pressure grease pack (HO).
35 <sup>1</sup> .....	100 lbs...	Low pressure grease pack (HO).

HO—Hand operated.

<sup>1</sup> With standard single braided hose. Maximum 6 ft. hose length.

<sup>2</sup> With standard single braided hose and meter. Maximum 6 ft. hose length.

## HAND GUNS

Item No.	Approx. capacity	Description
36.....	3 oz.	For hydraulic type fittings.
37.....	3 oz.	For push type fittings.
38.....	3 oz.	For flush type fittings.
39.....	3 oz.	For hydraulic type fittings (SP).
40.....	3 oz.	For push type fittings (SP).
41.....	3 oz.	For flush type fittings (SP).
42.....	3 oz.	For hydraulic type fittings, special nozzle (PP).
43 (R).....	3 oz.	With short hose and nozzle for recoil mechanism.
44.....	5 oz.	For hydraulic type fittings, (PP) or (SP).
45.....	5 oz.	For push type fittings, (PP) or (SP).
46.....	5 oz.	For flush type fittings, (PP) or (SP).
47.....	5 oz.	For handling light oils through hydraulic fitting (oil tight).
48.....	9 oz.	For hydraulic type fittings. (PP) or (SP).
49.....	9 oz.	For push type fittings. (PP) or (SP).
50.....	9 oz.	For flush type fittings. (PP) or (SP).
51.....	9 oz.	For hydraulic type fittings. (PP) or (SP).
52.....	9 oz.	For push type fittings. (PP) or (SP).
53.....	9 oz.	For flush type fittings. (PP) or (SP).
54.....	1 lb.	For hydraulic type fittings. (PP) or (SP).
55.....	1 lb.	For push type fittings. (PP) or (SP).
56.....	1 lb.	For flush type fittings. (PP) or (SP).
57.....	6-8 oz.	Screw primed gun for pin type fittings.
58.....	8 oz.	Screw primed gun for standard dot fittings.
59.....	12 oz.	Screw primed gun for standard dot fittings, nozzle BII type.
60.....	12 oz.	Screw primed gun for mogul dot fittings.
61.....	1 lb.	Lever gun. (SP) optional.
62.....	21 oz.	High pressure lever gun (HD) (SP).
63.....	21 oz.	Volume high pressure lever gun. (HD) (SP).
64.....	1 lb.	Lever gun for handling oil.
65 (R).....	8-12 oz.	Lever oil gun for special purposes.
66.....	1 lb.	Lever type gun for special purposes with check valve and fitting in head casting for loading (PP) or (SP).

R Sale restricted to Armed Forces.  
 HD Heavy Duty.  
 PP Push primed.  
 SP Spring primed.  
 1 Filler type construction.

LUBRICATION EQUIPMENT FOR RAILROADS  
HIGH PRESSURE GREASE PUMPS

Item No.	Capacity	Description
67.....	50-60 lb.	Single cylinder air motor, 2 or 3 wheel truck optional.
68.....	17 lb.	Hand operated.
69.....		Air motor operated. Hand fed for rod dope.
70.....		Hand operated. Lever type for rod dope.
71.....	2-2½ lb.	Hand operated, screw primed for rod dope, 1 size cylinder.

## SPECIALIZED GUNS

Item No.	Approx. capacity	Type of gun
72.....	1 lb.	High pressure lever type SP.
73.....	1 lb.	Volume high pressure lever type SP.
74.....	5 oz.	Push type suction type gun.
75.....	12 oz.	Push type suction type gun.
76.....	6 oz.	Push type gun for water pumps.
77.....		Wheel bearing lubricator.
78.....		Wheel bearing washer.
79 (R).....		Bearing lubricator.
80.....	1 lb.	Push type high pressure gun SP.
81.....	6-8 oz.	Screw type gun for heavy grease.

R—Sale restricted to Armed Forces.  
 SP—Spring primed.

## ADAPTERS FOR SPECIALIZED GUNS

Item No.	Approx. size	Description
82.....	8-10" long.	Extension nozzle for hydraulic type fittings.
83.....	18-24" long.	Extension nozzle for hydraulic type fittings.
84.....	8-10" long.	Extension volume nozzle—For plug holes with shut-off tip.
85.....	8-10" long.	Extension volume nozzle—for plug holes without shut-off tip.
86.....	8-12" long.	Extension nozzle for hydraulic type fittings with lock type connector.
87.....	3-5" long.	Extension volume nozzle for hydraulic type fittings.
88.....	12-15" long.	Flexible tubing ¼" O. D.
89.....	12-15" long.	Flexible tubing ½" O. D.
90.....		Special hydraulic angle adapter adjustable to desired angle.
91.....		Push type nozzle with lock connector.
92.....		Gooseneck nozzle for oil gun.
93.....	7-10" long.	Flexible extension nozzle for hydraulic type fittings.
94.....		Rigid hydraulic extension—no check valve heavy duty.
95.....	8-10" long.	Long extension nozzle with quick detachable connection for plug hose.
96.....	2¼" x 2¼"	90° angle sleeve type adapter, hydraulic to hydraulic.
97.....	12" long.	Flexible hose adapter, hydraulic to hydraulic.
98.....	5" long.	Sleeve type lubricating adapter, hydraulic to push.

## HOSE AND END CONNECTIONS

Item No.	Approx. size	Description
99.....	¼" I. D.	12" long (HP).
100.....	¼" I. D.	18" or 24" long (HP).
101.....	¾" I. D.	12" long (HP).
102.....	¾" I. D.	18" or 24" long (HP).
103.....	¼" I. D.	6" long (HP).
104.....	¼" I. D.	6" long (HP).
105.....	¼" I. D.	6" long (HP).
106.....	¼" I. D.	6" long (HP).
107.....	¼" I. D.	6" long (HP).
108.....	¼" I. D.	6" long (HP).
109.....	¼" I. D.	6" long (LP).
110.....	¼" I. D.	10" long (LP).
111.....	¾" I. D.	Cotton braid—12" long.
112 (R).....	¾" I. D.	7" maximum (MP).

R Sale restricted to Armed Forces; may also be sold for use on tractors notwithstanding paragraph (b) (4).  
 I. D. Inside Diameter.  
 MP Medium Pressure.  
 HP High Pressure.  
 LP Low Pressure.

## NOZZLES, CONTROL VALVES AND METERS

Item No.	Description
113.....	Portable grease meter.
114.....	Stationary grease meter.
115.....	High pressure hydraulic control valve.
116.....	High pressure volume control valve.
117.....	High pressure control valve with removable hydraulic extension.
118.....	Low pressure non-drip nozzle control valve.
119.....	Low pressure plain tube control valve.
120.....	Portable oil meter—quarts.
121.....	Stationary oil meter—quarts.
122.....	"T" Handle hydraulic nozzle.
123.....	Lubricant measuring valve—single adjustment.
124.....	Push type nozzle ¼" male P. T. long type.

## SWIVELS

Item No.	Description	Thread size
125.....	Straight.....	½-27 x ¼" P. T. (HP).
126.....	90°.....	½-27 x ¼" P. T. (HP).
127.....	Z.....	½-27 x ¼" P. T. (HP).
128.....	Straight.....	½-27 x ¼" P. T. (HP).
129.....	90°.....	½-27 x ¼" P. T. (HP).
130.....	Z.....	½-27 x ¼" P. T. (HP).

## SWIVELS—Continued

Item No.	Description	Thread size
131.....	Straight.....	½" P. T. x ¼" P. T. (HP).
132.....	90°.....	½" P. T. x ¼" P. T. (HP).
133.....	Z.....	½" P. T. x ¼" P. T. (HP).
134.....	Straight.....	½" P. T. x ¼" P. T. (HP).
135.....	90°.....	½" P. T. x ¼" P. T. (HP).
136.....	Z.....	½" P. T. x ¼" P. T. (HP).
137.....	Straight.....	½" P. T. x ¼" P. T. (HP).
138.....	90°.....	½" P. T. x ¼" P. T. (HP).
139.....	Z.....	½" P. T. x ¼" P. T. (HP).
140.....	Straight.....	½" P. T. x ¼" P. T. (HP).
141.....	90°.....	½" P. T. x ¼" P. T. (HP).
142.....	Z.....	½" P. T. x ¼" P. T. (HP).
143.....	Straight.....	½" P. T. x ¼" P. T. (LP).
144.....	Straight.....	½" P. T. x ¼" P. T. (LP).
145.....	Straight.....	½" P. T. x ¼" P. T. (LP).
146.....	Straight.....	½-27 x ¼" P. T. (HP).
147.....	90°.....	½-27 x ¼" P. T. (HP).
148.....	Z.....	½-27 x ¼" P. T. (HP).
149.....	Straight.....	½-27 x ¼" P. T. (HP).
150.....	90°.....	½-27 x ¼" P. T. (HP).
151.....	Z.....	½-27 x ¼" P. T. (HP).
152.....	Straight.....	½" P. T. x ¼" P. T. (HP).
153.....	Z.....	½" P. T. x ¼" P. T. (HP).

HP—High Pressure.  
 LP—Low Pressure.  
 1 Ball Bearing.  
 2 Standard.

## LUBRICATION ADAPTERS

Item No.	Description
154.....	Hydraulic to hydraulic—90°.
155.....	Hydraulic to pin.
156.....	Pin to pin—90°.
157.....	Pin to hydraulic—90°.
158.....	Pin to hydraulic.
159.....	Pin to dot.
160.....	Pin to mogul dot.
161.....	Button head to button head hook on.
162.....	Button head to hydraulic.
163.....	Button head to pin.
164.....	Giant button head to hydraulic.
165.....	Giant button head to pin.
166.....	Giant button head to dot.
167.....	Giant button head to mogul dot.
168.....	Giant button head to standard button head.
169.....	Mogul dot to dot.
170.....	Dot to mogul dot.
171.....	Hydraulic to hydraulic—11" extension.
172.....	Hydraulic to push—no sleeve.
173.....	Hydraulic to button head.
174.....	90° angle adapter pin type to button head.
175.....	"Z" angle adapter pin type to button head.
176.....	Straight adapter pin type to button head.

## ELBOW BODY FOR LUBRICATION FITTINGS

Item No.	Angle	Approximate overall length	Approximate shank length	Thread size
177.....	45°	1"	¾"	½"
178.....	90°	1"	¾"	½"

## ADAPTERS AND CONNECTORS

Item No.	Description
179.....	¼" P. T. (M) x ¼" P. T. (M).
180.....	¼" P. T. (M) x ¼" P. T. (F).
181.....	¼" P. T. (M) x ¼" P. T. (F).
182.....	¼" P. T. (M) x ¼" P. T. (M).
183.....	¼" P. T. (M) x ¼" P. T. (M).
184.....	¼" P. T. (M) x ¼" P. T. (F).
185.....	¼" P. T. (F) x ¼" P. T. (M).
186.....	¼" P. T. (M) x ¼" P. T. (M).
187.....	¼" P. T. (M) x ¼" P. T. (F).
188.....	¼" P. T. (M) x ¼" P. T. (M).
189.....	¼" P. T. (M) x ¼" P. T. (M).
190.....	¼" P. T. (M) x ¼" P. T. (M).
191.....	¼" P. T. (M) x ¼" P. T. (M).
192.....	¼" P. T. (M) x ¼" P. T. (M).
193.....	¼" P. T. (M) x ¼" P. T. (F).
194.....	¼" P. T. (M) x ¼" P. T. (M).
195.....	¼" P. T. (M) x ¼" P. T. (F).
196.....	¼" P. T. (M) x ¼" P. T. (M).
197.....	¼" P. T. (M) x ¼" P. T. (F).
198.....	¼" P. T. (M) x ¼" P. T. (M).
199.....	¼" P. T. (F) x ¼" P. T. (M).
200.....	¼" P. T. (M) x ¼" P. T. (M).

M—Male  
 F—Female

## ACCESSORIES

Item No.	Description
201.....	Reservoir air line oiler suspended type.
202.....	Reservoir air line oiler upright type.
203.....	Remote control air valve.
204.....	Volume lubricant line coupler.
205.....	High pressure lubricant line coupler.
206.....	Coupler for lubricant outlet hose—Pipe end type.
207.....	Coupler for lubricant outlet hose—Nose end type.
208.....	Shut-off valve—Screw type.
209.....	Shut-off valve—Heavy duty.
210.....	Grease strainer.
211.....	Rigid hydraulic extension and check valve— $\frac{1}{4}$ " P. T.
212.....	Rigid hydraulic extension and check valve— $\frac{1}{2}$ " P. T.
213.....	Truck for 400 lb. drum.
214.....	Dolly for 100 lb. drum.
215.....	Truck for 100 lb. drum.
216.....	Supporting framework for meters on industrial type portable service stations.
217 R.....	Air filling device and special hose for recoil mechanisms.
218 R.....	Gear flusher small $2\frac{1}{2}$ quart capacity.

R—Sale restricted to Armed Forces.

## ADDITIONAL ITEMS REQUIRED FOR ASSEMBLY OF PORTABLE LUBRICATION SERVICE STATIONS

Item No.	Description
219.....	Rectangular grease containers, 225 to 250 lb. capacity, with lubricating pumps to fit same.
220.....	Steel and/or wooden, steel reinforced, mounting base.
221.....	Steel and/or wooden, steel reinforced, hose reels.
222.....	Steel and/or wooden, steel reinforced, tool boxes.
223.....	Drum hold-down rods and brackets.
224.....	Reel support frames.
225.....	Brake bleeder assembly.
226.....	Air line stand.

## SCHEDULE B—SPECIAL PURPOSE LUBRICATION EQUIPMENT

"Special purpose lubrication equipment" means centralized systems, mechanical lubricators, and any and all other types of equipment comprising an assembly of component parts or devices to be installed on a machine or group of machines to become a fixed part of that machine or group of machines for the purpose of applying a lubricant to any point requiring lubrication. The word "machine" is used here to include machinery and mechanical equipment of all kinds.

## CENTRALIZED LUBRICATING SYSTEMS

(Centralized systems, including both oil and grease types.)

## CENTRAL PUMPING UNITS

Item No.	Description
227.....	Manually operated. No manufacturer shall make more than six models to cover capacities from one pint to eight quarts and necessary distributing valves, fittings, couplings, tubing and flexible hose and necessary installation accessories.
228.....	Mechanically operated. No manufacturer shall make more than six models regardless of the number of lubricant outlets or the size of the reservoirs required and necessary distributing valves, fittings, couplings and tubing, flexible hose and necessary installation accessories.
229.....	Electrically or otherwise powered. No manufacturer shall make more than six models regardless of the number of lubricant outlets or the size of the reservoirs required and necessary distributing valves, fittings, couplings, tubing and flexible hose and necessary installation accessories.

## SCHEDULE C—LUBRICATION FITTINGS

"Lubrication fittings" means any and all types and sizes of fittings, known to the trade as high pressure and low pressure relief grease fittings, for permanent attachment to the point of lubrication to receive lubricant from a detachable coupler especially designed for the purpose, said coupler forming a component part of a lubricant dispenser. Each manufacturer may produce only one model of each item on this schedule.

 $\frac{1}{4}$ " PIPE THREAD HYDRAULIC TYPE FITTINGS

Item No.	Description	Approximate over-all length	Approximate shank length	Approximate thread length
		Inch	Inch	Inch
230.....	Straight fitting.....	$1\frac{1}{4}$	$2\frac{3}{4}$	$\frac{3}{4}$
231.....	Straight fitting.....	$\frac{3}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
232.....	Straight fitting (female thread).....	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
233.....	Straight fitting (oil type).....	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
234.....	Straight fitting.....	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
235.....	Straight fitting (leak proof).....	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
236.....	Straight fitting.....	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
237.....	Straight fitting.....	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
238.....	Straight fitting (leak proof).....	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
239.....	Straight fitting (measuring fitting).....	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
240.....	Straight fitting (bleeder relief).....	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
241.....	Straight fitting (water pump).....	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
242.....	Straight fitting (water pump) (special ball stop).....	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
243.....	Straight fitting (volume for ordnance).....	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
244.....	Straight fitting ( $1\frac{1}{2}$ " Hex.).....	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
245.....	Straight fitting.....	6	$\frac{3}{4}$	$\frac{3}{4}$

 $\frac{1}{4}$ " PIPE THREAD ANGLE HYDRAULIC TYPE FITTINGS

Item No.	Description	Angle	Approximate over-all length	Approximate shank length	Approximate thread length
		°	Inch	Inch	Inch
246.....	Angle.....	90	$1\frac{1}{4}$	$1\frac{1}{4}$	$\frac{3}{4}$
247.....	Angle.....	30	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
248.....	Angle.....	$67\frac{1}{2}$	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
249.....	Angle.....	90	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
250.....	Angle.....	105	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
251.....	Angle.....	$67\frac{1}{2}$	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
252.....	Angle.....	30	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
253.....	Angle.....	$67\frac{1}{2}$	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
254.....	Angle (leak proof).....	$67\frac{1}{2}$	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
255.....	Angle.....	45	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
256.....	Angle (leak proof).....	30	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
257.....	Angle (leak proof).....	90	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
258.....	Angle (shut-off) (60-110 lbs.).....	60	1	$1\frac{1}{4}$	$\frac{3}{4}$
259.....	Angle (leak proof).....	45	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
260.....	Angle (measuring fitting).....	90	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
261.....	Angle (bleeder relief).....	$67\frac{1}{2}$	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
262.....	Angle (female thread).....	45	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
263.....	Angle (shut-off) (5-20 lbs.).....	60	1	$\frac{3}{4}$	$\frac{3}{4}$
264.....	Angle (leak proof).....	105	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$

 $\frac{1}{4}$ " P. T. MONEL HYDRAULIC FITTINGS (STRAIGHT AND ANGLE) <sup>1</sup>

Item No.	Description	Angle	Approximate over-all length	Approximate shank length	Approximate thread length
		°	Inch	Inch	Inch
265.....	Hydraulic straight fitting.....		$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
266.....	Hydraulic angle fitting.....	30	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
267.....	Hydraulic angle fitting.....	$67\frac{1}{2}$	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
268.....	Hydraulic angle fitting.....	90	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
269.....	Hydraulic angle fitting.....	105	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
270.....	Hydraulic straight fitting.....		$\frac{3}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
271.....	Hydraulic straight fitting.....		$\frac{3}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
272.....	Hydraulic angle fitting.....	45	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{4}$
273.....	Hydraulic straight fitting (water pump).....		1	$\frac{3}{4}$	$\frac{3}{4}$

<sup>1</sup> The use of all MONEL fittings is restricted to Armed Forces. $\frac{1}{4}$ " AND  $\frac{3}{8}$ " PIPE THREAD STRAIGHT HYDRAULIC TYPE FITTINGS

Item No.	Description	Approximate over-all length	Approximate shank length	Approximate thread length	Thread size
		Inch	Inch	Inch	
274.....	Hydraulic straight fitting.....	$1\frac{1}{4}$	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{1}{4}$ " P. T.
275.....	Hydraulic straight fitting.....	$1\frac{1}{4}$	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{3}{8}$ " P. T.
276.....	Hydraulic straight fitting (female thread).....	$1\frac{1}{4}$	$1\frac{1}{4}$	$\frac{3}{4}$	$\frac{1}{4}$ " P. T.

 $\frac{1}{4}$ " PIPE THREAD ANGLE HYDRAULIC TYPE FITTINGS

Item No.	Description	Angle	Approximate over-all length	Approximate shank length	Approximate thread length
			Inch	Inch	Inch
277.....	Hydraulic angle fitting.....	$67\frac{1}{2}$ °	1	$1\frac{1}{4}$	$\frac{3}{4}$

3/4"-28 THREAD STRAIGHT HYDRAULIC FITTINGS

Item No.	Description	Approximate over-all length	Approximate mate shank length	Drive size
278	Hydraulic straight fitting	1 1/2	1 1/2	1 1/2
279	Hydraulic straight fitting	1 1/2	1 1/2	1 1/2
280	Hydraulic straight fitting	1 1/2	1 1/2	1 1/2
281	Hydraulic straight fitting	1 1/2	1 1/2	1 1/2
282	Hydraulic straight fitting	1 1/2	1 1/2	1 1/2
283	Hydraulic straight fitting	1 1/2	1 1/2	1 1/2
284	Hydraulic straight fitting	1 1/2	1 1/2	1 1/2
285	Hydraulic straight fitting	1 1/2	1 1/2	1 1/2

3/4"-28 THREAD ANGLE HYDRAULIC FITTINGS

Item No.	Description	Angle	Approximate over-all length	Approximate mate shank length	Drive size
286	Hydraulic angle fitting	45	1 1/2	1 1/2	1 1/2
287	Hydraulic angle fitting	45	1 1/2	1 1/2	1 1/2
288	Hydraulic angle fitting	45	1 1/2	1 1/2	1 1/2
289	Hydraulic angle fitting	90	1 1/2	1 1/2	1 1/2
290	Hydraulic angle fitting	90	1 1/2	1 1/2	1 1/2
291	Hydraulic angle fitting	90	1 1/2	1 1/2	1 1/2

SPECIAL THREAD HYDRAULIC TYPE FITTINGS (STRAIGHT)

Item No.	Description	Approximate over-all length	Approximate mate shank length	Thread size
292	Hydraulic straight fitting	1 1/2	1 1/2	1 1/2
293	Hydraulic straight fitting	1 1/2	1 1/2	1 1/2
294	Hydraulic straight fitting	1 1/2	1 1/2	1 1/2
295	Hydraulic straight fitting	1 1/2	1 1/2	1 1/2
296	Hydraulic straight fitting	1 1/2	1 1/2	1 1/2
297	Hydraulic straight fitting	1 1/2	1 1/2	1 1/2
298	Hydraulic straight fitting	1 1/2	1 1/2	1 1/2
299	Hydraulic straight fitting	1 1/2	1 1/2	1 1/2
300	Hydraulic straight fitting	1 1/2	1 1/2	1 1/2

1 Wood screw.

2 No ball and spring.

3 Same fitting (identical measurements) with ball and spring.

SPECIAL THREAD HYDRAULIC TYPE FITTINGS (ANGLE)

Item No.	Description	Angle	Approximate over-all length	Approximate mate shank length	Thread size
301	Hydraulic angle fitting	67 1/2	1 1/2	1 1/2	1 1/2
302	Hydraulic angle fitting	67 1/2	1 1/2	1 1/2	1 1/2
303	Hydraulic angle fitting	45	1 1/2	1 1/2	1 1/2
304	Hydraulic angle fitting	90	1 1/2	1 1/2	1 1/2

STRAIGHT DRIVE HYDRAULIC TYPE FITTINGS

Item No.	Description	Approximate over-all length	Approximate mate shank length	Drive size
305	Drive straight fitting (rive) 1	1 1/2	1 1/2	1 1/2
306	Drive straight fitting	1 1/2	1 1/2	1 1/2
307	Drive straight fitting	1 1/2	1 1/2	1 1/2
308	Drive straight fitting	1 1/2	1 1/2	1 1/2
309	Drive straight fitting (special end)	1 1/2	1 1/2	1 1/2
310	Drive straight fitting	1 1/2	1 1/2	1 1/2
311	Drive straight fitting	1 1/2	1 1/2	1 1/2
312	Drive straight fitting	1 1/2	1 1/2	1 1/2
313	Drive straight fitting	1 1/2	1 1/2	1 1/2
314	Drive straight fitting	1 1/2	1 1/2	1 1/2
315	Drive straight fitting	1 1/2	1 1/2	1 1/2
316	Drive straight fitting	1 1/2	1 1/2	1 1/2
317	Drive straight fitting	1 1/2	1 1/2	1 1/2

1 No ball and spring.

ANGLE DRIVE HYDRAULIC TYPE FITTINGS

Item No.	Description	Angle	Approximate over-all length	Approximate mate shank length	Drive size
318	Drive Angle Fitting	30	1 1/2	1 1/2	1 1/2
319	Drive Angle Fitting	67 1/2	1 1/2	1 1/2	1 1/2
320	Drive Angle Fitting	67 1/2	1 1/2	1 1/2	1 1/2
321	Drive Angle Fitting	67 1/2	1 1/2	1 1/2	1 1/2
322	Drive Angle Fitting	67 1/2	1 1/2	1 1/2	1 1/2

1 No ball and spring.

HYDRAULIC TYPE RESERVOIR CUPS AND AUTOMATIC PRESSURE CUPS

Item No.	Description	Approximate over-all length	Approximate mate shank length	Thread size
323	Hydraulic reservoir cup fitting (6 lb. spring)	1 1/2	1 1/2	1 1/2
324	Hydraulic reservoir cup fitting (1 lb. spring)	1 1/2	1 1/2	1 1/2
325	Hydraulic reservoir cup fitting (3 lb. spring)	1 1/2	1 1/2	1 1/2
326	Adjustable automatic pressure cup (1 oz. capacity)	1 1/2	1 1/2	1 1/2
327	Adjustable automatic pressure cup (2 oz. capacity)	1 1/2	1 1/2	1 1/2

STANDARD BUTTON HEAD TYPE FITTINGS

Item No.	Description	Angle	Approximate over-all length	Approximate mate shank length	Thread size
328	Female thread	0	1 1/2	1 1/2	1 1/2
329	Male thread	0	1 1/2	1 1/2	1 1/2
330	Male thread	0	1 1/2	1 1/2	1 1/2
331	Male thread	0	1 1/2	1 1/2	1 1/2
332	Heavy lubricant type	0	1 1/2	1 1/2	1 1/2
333	Female thread, hardened	0	1 1/2	1 1/2	1 1/2
334	Female thread, hardened	0	1 1/2	1 1/2	1 1/2
335	Female thread, hardened	0	1 1/2	1 1/2	1 1/2
336	Female thread, hardened	0	1 1/2	1 1/2	1 1/2
337	Female thread, hardened	0	1 1/2	1 1/2	1 1/2
338	Female thread, hardened	0	1 1/2	1 1/2	1 1/2
339	Female thread, hardened	0	1 1/2	1 1/2	1 1/2
340	Female thread, hardened	0	1 1/2	1 1/2	1 1/2
341	Female thread, hardened	0	1 1/2	1 1/2	1 1/2
342	Female thread, hardened	0	1 1/2	1 1/2	1 1/2
343	Female thread, hardened	0	1 1/2	1 1/2	1 1/2
344	Female thread, hardened	0	1 1/2	1 1/2	1 1/2

## GIANT BUTTON HEAD TYPE FITTINGS

Item No.	Description	Angle	Approximate outside core length	Approximate thread length	Thread size
384	Straight Dot	90	17/32	11/32	1/16" P. T.
385	Angle Dot	90	17/32	3/8	1/16" P. T.
386	Angle Dot	60	17/32	13/32	1/16" P. T.
387	Angle Dot	45	17/32	7/8	1/16" P. T.
388	Angle Dot	20	17/32	5/8	1/16" P. T.
389	Angle Dot	90	17/32	5/8	1/16" P. T.
390	Angle Dot	60	17/32	5/8	1/16" P. T.
391	Angle Dot	45	17/32	5/8	1/16" P. T.
392	Angle Dot	20	17/32	5/8	1/16" P. T.

## MISCELLANEOUS FITTINGS, AIR VENTS AND RELIEF FITTINGS

Item No.	Description	Approximate overall length	Approximate shank length	Approximate thread length	Thread size	Drive size
393	Relief Fitting (45-95 lbs.)	Inch 1.34	Inch .75	Inch 1.56	3/4" P. T.	3/4" Spec.
394	Relief Fitting (1-5 lbs.)	1.32	.75	1.56	3/4" P. T.	
395	Relief Fitting (7-15-12 1/2 lbs.)	1.32	.75	1.56	3/4" P. T.	
396	Relief Fitting (80-120 lbs.)	1.52	.75	1.56	3/4" P. T.	
397	Air Vent (1/2 lb. pressure)	1.52	.75	1.56	3/4" P. T.	
398	Air Vent (3/4 lb. pressure)	1.52	.75	1.56	3/4" P. T.	
399	Air Vent (1 lb. pressure)	1.52	.75	1.56	3/4" P. T.	
400	Air Vent (No Valve)	.75	.75	.75	3/4" P. T.	
401	Air Vent	.75	.75	.75	3/4" P. T.	
402	3/4" P. T. x 3/4" P. T. -Bleeder Relief Busing.	.75	.75	.75	3/4" P. T.	
403	3/4" P. T. x 1/4" P. T. -Bleeder Relief Busing.	.75	.75	.75	3/4" P. T.	

1 Felt Washer Valve.

### Low Pressure Relief Fittings

Item No.	Description	Approximate over-all Length	Thread size (inches)
404.....	Low pressure relief couplings.	$\frac{3}{4}$ Inch	$\frac{1}{2}$ " P. T.
405.....	Low pressure relief fitting.	$\frac{3}{4}$	$\frac{1}{2}$ " P. T.
406.....	Low pressure relief coupling.	$\frac{3}{4}$	$\frac{1}{2}$ " P. T.
407.....	Low pressure relief fittings.	$\frac{3}{4}$	$\frac{1}{2}$ " P. T.

## MISCELLANEOUS FITTING ACCESSORIES

Item No.	Description
08	Fitting wrench for dot fittings.
09	Drive tool for straight drive hydraulic fittings.
10	Drive tool for angle 30° drive hydraulic fittings.
11	Drive tool for angle 67½° drive hydraulic fittings.
12	3 stage header block.
13	6 stage header block.
14	Fitting cleaner for giant button head fitting.

thread).....	
Hinged top.....	$\frac{1}{2}$ " male (3 lengths), $\frac{1}{2}$ " (female), $\frac{1}{2}$ "-32, $\frac{3}{4}$ " male, $\frac{5}{8}$ "-32, $\frac{1}{2}$ "-25, $\frac{1}{2}$ " male, $\frac{1}{4}$ " male (2 lengths), $\frac{3}{4}$ " male, $\frac{1}{4}$ "-20, $\frac{1}{2}$ "-32, $10^{\circ}$ -32 (2 lengths), $\frac{1}{2}$ "-32, $\frac{3}{8}$ "-24
Screw top.....	$\frac{1}{2}$ " male, $\frac{5}{8}$ "-32, $\frac{3}{4}$ "-24, $\frac{1}{2}$ " male, $11^{\circ}$ -12 with anchored top, $1\frac{1}{2}$ "-12 with anchored top.
Ball valve top.....	$\frac{3}{8}$ " male, $\frac{1}{4}$ "-32, $\frac{5}{8}$ "-32, $\frac{1}{4}$ "-32 (2 lengths).
Elbow, hinged top.....	$\frac{3}{8}$ " male (2 lengths), $\frac{1}{2}$ " male, $\frac{1}{4}$ "-32, $\frac{5}{8}$ "-32, $\frac{3}{4}$ "-24, $10^{\circ}$ -32, $\frac{3}{8}$ " male, $\frac{1}{4}$ " male, $\frac{7}{8}$ " male, $1\frac{1}{2}$ "-20.
Evolutionary top.....	

### ON HOLE COVERS

Type	Size
Breasted connection (pine or screw thread)	1½" male (3 lengths), 1½" male (female), 1½"-32, 1½" male, 31" male, 1½"-25, 1½" male, 1½" male, 1½" male (2 lengths), 1½" male, 1½"-20, 1½"-32, 10"-32 (2 lengths), 1½"-32, 18"-24.
Screw top	1½" male, 1½"-32, 1½"-24, 1½" male, 1½"-12 with anchored top, 1½"-12 with anchored top.
Ball valve top	1½" male, 1½"-32, 1½"-32, 1½" male (2 lengths), 1½" male, 1½"-32, 1½"-24, 10"-32, 1½" male, 1½" male, 7½" male, 1½"-20.
Elbow, hinged top	
Revolving top	

**SCHEDULE D—OIL AND GREASE CUTS AND RECEIPTS**

"Oil and grease cuts and receipts" means any and all types of attachments, appliances and devices which are used for the purpose of applying oil or grease for the purpose of attachment to a point of lubrication to receive the lubricant or to hold a supply of lubricant, except the lubrication fittings defined in Schedule C.

Each manufacturer may produce only one model in each class which may be produced in only one length unless otherwise indicated. (Diameter is shown in inches or fractions, or by gauge, and the figure which follows is the number of threads per linear inch.)

## GIANT BUTTON HEAD TYPE FITTINGS

Item No.	Description	Approximate over-all length	Approximate shank length	Approximate thread length	Thread size			
		Inch	Inch	Inch	M.	P.	T.	P. T.
45	Giant button head fitting	1 1/16	3/8	5/8	1/4"	P.	T.	P. T.
46	Giant button head fitting	1 1/16	3/8	5/8	1/4"	P.	T.	P. T.
47	Giant button head fitting	1 1/16	3/8	5/8	1/4"	P.	T.	P. T.
48	Giant button head fitting	1 1/16	3/8	5/8	1/4"	P.	T.	P. T.
49	Giant button head fitting	1 1/16	3/8	5/8	1/4"	P.	T.	P. T.
50	Giant button head fitting	1 1/16	3/8	5/8	1/4"	P.	T.	P. T.
51	Giant button head fitting (long body)	2	3/8	5/8	1/4"	P.	T.	P. T.
52	Giant button head fitting	1 1/16	3/8	5/8	1/4"	P.	T.	P. T.
53	Giant button head fitting (bleeder relief fitting)	1 1/16	3/8	5/8	1/4"	P.	T.	P. T.

Sp.—Special.  
Special shoulder.

GIANT FLUSH TYPE FITTINGS

54	Giant flush type fitting	2542	3/6	1552	3/6" - 11.
55	Giant flush type fitting	2542	3/6	1552	3/6" P. T.
56	Giant flush type fitting	76	3/6	1552	3/6" P. T.
57	Giant flush type fitting	76	3/6	1552	3/6" P. T.
58	Giant flush type fitting	76	3/6	1552	1" P. T.

### REGULAR FLUSH TYPE FITTINGS

Item No.	Description	Approximate overall length	Approximate shank length	Approximate thread length	Thread size	Drive size
59	7/16" diameter countersunk head	7/16				1/16
60	1/2" diameter countersunk head	7/16				3/16
61	1/2" diameter countersunk head	9/16	15/32	7/16	3/8" P. T.	
62	1/2" diameter countersunk head	13/16	13/32	7/16	3/8" P. T.	
63	Slotted—no head	1/2	1/2	7/16	3/8" P. T.	
64	3/16" diameter head	21/32	8/32			5/16
65	7/16" diameter head	11/8	5/16			3/8
66	7/16" diameter head	1 1/32	5/16			3/8

LARGE BUTTON HEAD FITTINGS-LUBEICATION (LOCOMOTIVE TYPE)

Item No.	Description	Thread size	Over-all hexagon size
37	Female thread	1 1/8"-12	
38	Female thread	1 3/8"-16	
39	1 series male thread	Threaded to suit	2" hexagon.
40	1 series male thread	Threaded to suit	2 3/4" hexagon.
41	1 series male thread	Threaded to suit	2 3/4" hexagon.
42	Male thread	1"-8	
43	Male thread	3/4" P. T.	
44	Male thread	1" P. T.	
45	Male thread	3/4" British W. P. T.	
46	Male thread	1" British W. P. T.	
47	Male thread	1 1/4"-12	
48	1 series base fitting combination head	Threaded to suit	1 3/4" hexagon.

Mogul Dot Type Fittings

Item No.	Description	Angle	Approximate over-all length	Approximate shank length	Approximate thread length	Thread size
79	Straight mogul dot	°	1 1/16	Inch	Inch	3/4" P. T.
80	Angle mogul dot	90	1 1/16	5/8	3/8	3/4" P. T.
81	Angle mogul dot	60	1 1/16	5/8	3/8	3/4" P. T.
82	Angle mogul dot	45	1 1/16	5/8	3/8	3/4" P. T.
83	Angle mogul dot	30	1 1/16	5/8	3/8	3/4" P. T.



tion Board, Washington 25, D. C., Ref: L-157, Sch. VII.

(3) On or before December 21, 1943, each manufacturer shall file on Form WPB-1902 (formerly PD-754) with the War Production Board, Building Materials Division, Washington 25, D. C., the catalog number and specifications of each wheelbarrow to be manufactured by him under each designation established in Appendix A hereto. The use of Form WPB-1902 as called for in this paragraph has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 21st day of October 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### APPENDIX A

(1) Wood wheelbarrows may be manufactured, fabricated or assembled in any design or shape. Joining hardware, tray braces and wheel may be made of iron or carbon steel. All other parts shall be made of wood or other non-metallic material.

(2) Steel wheelbarrows shall be manufactured in accordance with the designations, gauges of tray, maximum capacity and maximum weight established in Table I herein:

TABLE I.—STEEL TRAY WHEELBARROWS

Designation <sup>1</sup>	Gauge of steel tray <sup>2</sup>	Maximum capacity		Maximum weight
		Struck	Rated or heaped	
	Inclusive	Cu. ft.	Cu. ft.	Pounds
S-2 <sup>3</sup>	16-18	2	3	70.
S-4 <sup>4</sup>	12-16	3	4	125 incl. reinforcement.
S-6 <sup>5</sup>	12-16	4½	6	130 incl. reinforcement.
S-17 <sup>6</sup>	14-16	4	5	85.
S-18 <sup>7</sup>				
S-19 <sup>8</sup>				

<sup>1</sup>Handles. Wood handles may be substituted in lieu of steel handles for S-2, S-4 and S-6 designations. Steel handles may be substituted in lieu of wood handles for S-17, S-18 and S-19 designations.

<sup>2</sup>Designations given in the above table are from Simplified Practice Recommendation R105-32, Wheelbarrows, U. S. Department of Commerce, Bureau of Standards, effective April 1, 1932.

<sup>3</sup>Gauges of steel tray. Gauges are steel manufacturers' standard gauges and are subject to manufacturers' standard tolerances. A manufacturer may use no more than one gauge for each designation.

<sup>4</sup>S-2 wheelbarrow when furnished with steel handles is equivalent to Type A, Federal Specification KKK-W-291, as amended May 21, 1938, except for maximum weight.

<sup>5</sup>S-4 wheelbarrow when furnished with wood handles is equivalent to Type C, Federal Specification KKK-W-291, as amended May 21, 1938, except for maximum weight.

<sup>6</sup>S-6 wheelbarrow when furnished with steel handles is equivalent to Type B, Federal Specification KKK-W-291, as amended May 21, 1938, except for maximum weight.

<sup>7</sup>S-17, 18, 19 wheelbarrow when furnished with wood handles is equivalent to Type D, Federal Specification KKK-W-291, as amended May 21, 1938, except for maximum weight. A manufacturer may choose one size only from list of three sizes given in this group.

[F. R. Doc. 43-17116; Filed, October 21, 1943; 12:40 p. m.]

#### PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-241 as Amended Oct. 21, 1943]

#### COMMERCIAL PRINTING

Section 3133.9 Limitation Order L-241 is hereby amended to read as follows:

§ 3133.9 Limitation Order L-241—  
(a) The purpose of this order. This

order limits the amount of paper which a printer may use for commercial printing. This amount is called his quota. It is based upon the amount of paper which he used in 1941.

(b) Printing which is not covered by this order. (1) Certain types of printing are not covered by this order. When a printer adds up the weight of paper which he used in 1941, he may not count the paper which went into those items. Also, a printer may not use the quota which he gets under this order for printing any of those items.

(i) Newspapers (defined in Limitation Order L-240),

(ii) Magazines (defined in Limitation Order L-244),

(iii) Books (defined in Limitation Order L-245),

(iv) Greeting Cards and Illustrated Post Cards (defined in Limitation Order L-289),

(v) Displays (defined in Limitation Order L-294),

(vi) Wall Paper (defined in Limitation Order L-177),

(vii) Boxes (defined in Limitation Order L-239),

(viii) Converted products named in lists A, B, C, or D of General Conservation Order M-241-a,

(ix) Any other "converted products" defined in General Conservation Order M-241-a, except those which must be printed in order to serve the purpose for which they are made. For example, paper drinking cups or paper plates are among the items which are not covered by this order, even though they may contain some printing, because they are just as useful without that printing. On the other hand, items such as calendars or maps would be useless without printing. Therefore, such articles are included in this order and they should be counted when a printer determines, and uses, his quota.

(2) These rules apply to every printer; it makes no difference what kind of a plant he has. In other words, a printer may use practically all his paper for greeting cards or newspapers, or other items listed above, but any additional paper which he puts through his presses is limited by this order.

(c) Printing which is not restricted.

(1) Certain types of printing are so important that a printer is not limited in the amount of paper which he may use for such purposes. They are:

(i) Printing which is required by a Federal, State, County or Municipal law, ordinance or regulation.

(ii) Printing which is ordered and paid for by a department or agency of the United States, its territories or possessions, or any State, County or Municipality of the United States. Official Army or Navy newspapers or news sheets are included in this type of printing if (a) they are ordered by the officer in command of the Army or Navy establishment; (b) they contain no paid advertising; and (c) they are not owned, edited or operated by civilians but are run entirely by military personnel (although the printing may be done in commercial plants).

(2) When a printer adds up the weight of paper which he used in 1941, he may not count the paper which went into

those items. Also, a printer may use an unlimited amount of paper for those items from now on.

(d) Limits on the amount of paper which a printer may use. In figuring out his quota for any calendar quarter a printer may choose between two different methods, depending on the needs of his particular plant:

(1) First method. (i) Add up the total pounds of paper used in 1941.

(ii) Subtract the pounds of paper used in 1941 for the items covered by other orders, as listed in paragraph (b) above.

(iii) Subtract the pounds of paper used in 1941 for the unrestricted items listed in paragraph (c) above.

(iv) Take 21¼ percent of the difference.

(v) This is the printer's quota for the calendar quarter. He may use that many pounds of paper for any type of printing which is not covered by other orders, as listed in paragraph (b). Also, he may use any amount of paper in addition to his quota for the unrestricted items described in paragraph (c).

(2) Second method. (i) Add up the total pounds of paper used during the same calendar quarter of 1941.

(ii) Subtract the pounds of paper used during that quarter of 1941 for the items covered by other orders, as listed in paragraph (b).

(iii) Subtract the pounds of paper used during that quarter of 1941 for the unrestricted items listed in paragraph (c).

(iv) Take 85 percent of the difference.

(v) This is the printer's quota for the calendar quarter. He may use that many pounds of paper for any type of printing which is not covered by other orders, as listed in paragraph (b). Also, he may use any amount of paper in addition to his quota for the unrestricted items described in paragraph (c).

(3) Yearly limit. Even though quotas operate on a quarterly basis, there is a yearly limit on a printer's use of paper. During the year 1943 a printer may not use for the types of printing covered by this order more than 88¾ percent of the paper which he used for such printing in 1941. During the year 1944 and each year after that, a printer may not use for printing covered by this order more than 85 percent of the paper which he used for such printing in 1941. As long as he keeps within his yearly limit, he may use one of the two methods described above in one quarter and the other in another quarter.

(4) Borrowing. Because of seasonal differences, a printer may use, under either method, an extra 15 percent above his quota if he uses that much less during the next quarter. Also, if he uses less than he is allowed for one quarter, he may increase his use in later quarters by that amount.

(e) Exceptions. The requirement that a printer may use only a percentage of the paper which he used in 1941 does not apply, in any calendar quarter, to a printer whose gross sales in that quarter for the types of printing covered by this order are less than \$1,250. In addition, it does not apply, in any calendar quarter, to a printer who uses less than 1¼ tons of paper in that quarter for the types of printing covered by this order.

(f) *Prohibited and restricted uses of paper and paperboard.* The War Production Board may issue, from time to time, schedules which will prohibit the use of paper and paperboard in certain items and limit the use of paper and paperboard in other items.

(g) *Definitions and explanations.* (1) "Printer" means anyone who operates a printing plant. It does not mean a publisher or a person who orders printing.

(2) A printer may not use more than his quota for the types of printing covered by this order, even if the blank paper is supplied to him by some other person.

(3) The limits in this order on the amount of paper which may be used during any calendar quarter apply to the quarter beginning October 1, 1943, and to each calendar quarter after that.

(4) Sometimes paper is put through a press more than once, either by the same printer or by different printers—for instance, when several colors are used or when the imprint of a particular distributor is added after part of the printing is done. For the purposes of this order the paper is deemed to be "used" when the first ink is applied to it. It makes no difference how many other applications of ink are put on the paper by the same or different printers.

(5) When a job is started in one calendar quarter and runs over into the next, the paper actually used during each quarter must be charged against the printer's quota for that quarter. The entire job may not be regarded as if it were started and finished in the same quarter.

(6) It sometimes happens that one printer does work for another printer, and there is a question as to which one should deduct the paper from his quota. Printer A may "farm out" certain work by purchasing "press time" from Printer B. This may be done, for example, where Printer A cannot fill an order for a customer because he does not have available the right equipment, material, personnel, or facilities. In such a case, where the customer looks only to A for the finished product and where B acts merely as a sub-contractor, the paper may be charged against A's quota, even though B actually does the printing. This does not mean that A may assign his quota to B. The rules governing this subject are contained in Priorities Regulation 7-A.

(h) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(i) *Records which must be kept.* In order to assure compliance with this order, every printer must calculate, as accurately as he can, the weight of paper which he used during each quarter of 1941 for the items covered by this order. He must also keep accurate records of this type of information for each calendar quarter beginning with January 1, 1943. He must preserve these figures

and his work sheets for inspection by War Production Board officials as long as this order remains in force and for two years after that.

(j) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

(k) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter referring to the particular provision appealed from and stating fully the grounds of the appeal.

(l) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C., Ref: L-241.

Issued this 21st day of October 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE I

(a) *General Limitations.* (1) No person may manufacture or cause to be manufactured any of the items in List (A) of this schedule in a basis weight, thickness, area or weight per unit greater than the maximum specified for such use. The above restriction does not apply to paper or paperboard which had been manufactured prior to October 21, 1943, provided, the printing of such paper or paperboard is completed by December 15, 1943.

(2) During the fourth quarter of 1943, no person may cause to be consumed in the printing of any item in List (B) of this schedule more than 85%, by weight, of the paper or paperboard consumed in the printing of that item during the 4th quarter of 1941. During the year 1944, and each year after that, no person may cause to be consumed in the printing of any item in List (B) of this schedule more than 85%, by weight, of the paper or paperboard consumed in the printing of that item in 1941. It is not necessary for the weight of each copy to be reduced, as long as the total weight of paper consumed in the printing of all copies is reduced by the required amount.

#### LIST A

Art reproductions, without advertising—basis weight 25 x 38—120#.

Diaries, date books, desk calendar pads, and advertising memo pads 9" x 6" or smaller—basis weight 17 x 22—16#. Larger than 9" x 6" basis weight 17 x 22—20#.

Dodgers and handbills—basis weight 24 x 36—35#.

News letters and loose leaf services other than books (as defined in Order L-245)—basis weight 17 x 22—16# if printed on one side; basis weight 17 x 22—18# if printed on two sides.

Accounting records, books and forms—basis weight 17 x 22—32#.

Corporate securities, checks, domestic and foreign currency—basis weight 17 x 22—24#.

Notes, contracts, mortgages, wills, deeds and insurance policies—basis weight 17 x 22—20#.

Letterheads—basis weight 17 x 22—16#.

Card indexes and card records—basis weight 25½ x 30½—140#.

Time cards and tabulating cards—caliper .013 inches.

County record books—basis weight 17 x 22—36#.

Prospectuses for the sale of securities—basis weight 25 x 38—50#.

Legal briefs and records on appeal—basis weight 25 x 38—50#.

All other office, business, financial and legal forms, except blank books—basis weight 17 x 22—16#.

Road and street maps and guides for civilian use—basis weight 17 x 22—20#.

Telephone directories—body basis weight 24 x 36—28#; cover basis weight 22½ x 28½—110#.

NOTE: Schedules I, II, and III to Order L-120 provide: "Paper may be manufactured in any basis weight or thickness permitted for a particular use by any subsequent order, provided the basis weight or thickness does not exceed the maximum specified by the War Production Board for such use, and provided all other provisions of this or such subsequent order are fully complied with." Pursuant to this provision the manufacture of paper in the basis weights and for the purposes specified in this list is hereby permitted.

#### LIST B

Catalogues issued more frequently than once every four years.

Directories, except telephone directories and books (as defined in Order L-245).

Shopping and free distribution newspapers.

[F. R. Doc. 43-17117; Filed, October 21, 1943; 12:41 p. m.]

#### PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Direction 6 as Amended Oct. 21, 1943, to CMP Reg. 5]

#### SHIPS OF FRIENDLY FOREIGN NATIONS

The following amended direction is issued pursuant to CMP Regulation 5.

(a) Persons operating ships (except pleasure vessels) of foreign nations flying flags of the United Nations may obtain maintenance, repair and operating supplies essential for the operation of such ships under CMP Regulation No. 5 as though such activity were listed in Schedule I of the regulation.

(b) Persons operating ships (except pleasure vessels) under the flags of neutral nations, not United Nations, may obtain maintenance, repair and operating supplies essential for the operation of such ships under CMP Regulation No. 5 as though such activity were listed in Schedule I of the regulation, if, but only if, the purchase order to which a preference rating or MRO symbol is applied under this paragraph is countersigned by a representative of the War Shipping Administration.

(c) The quantity limitations of paragraph (f) of CMP Regulation No. 5 shall not apply to purchases made under this direction.

(d) Material for repair of ships in ship repair yards may not be obtained under this direction. Such repair is under the direction of the Coordinator of Ship Repair and Conversion.

(e) This direction does not apply to purchases of food and fuel, or to any item set forth in Lists A, B or C attached to Priorities Regulation No. 3 as amended from time to time.

Issued this 21st day of October 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-17118; Filed, October 21, 1943;  
12:42 p. m.]

#### PART 3208—SCHEDULED PRODUCTS

[Table 10, as Amended Oct. 21, 1943 to  
General Scheduling Order M-293]

#### SAFETY AND TECHNICAL EQUIPMENT DIVISION

§ 3208.11 *Table for safety and technical equipment division.* (a) The following amended table is issued pursuant to the provisions of General Scheduling Order M-293:

Type of M-293 product	Designation	Applicable forms column 1		
		1	2	3
1. Carbon dioxide fire extinguishers:				
(a) 15-lb. portable carbon dioxide fire extinguishers. (Poundage is based on the weight of the carbon dioxide contained in the cylinder.)	XZ	3000.30	3401	-----
(b) Fixed systems. (The term "fixed system" means any carbon dioxide fire fighting installation, high or low pressure, connected to a permanently located reservoir of carbon dioxide.)	XZ	3000.30	3401	-----
(c) All other carbon dioxide fire extinguishers using carbon dioxide from high or low pressure reservoirs, but not including self-propelled or trailer units.	Z	3000.30	-----	-----

<sup>1</sup> A manufacturer of a Class XZ product must file his shipping schedule on Form WPB-3003, or on the form shown in Column 2.

A person placing an order for a Class Z product under paragraph (c) of M-293 must use Form WPB-3003, 3400, or 3401, as specified in the instructions he received, to accompany his purchase order.

Issued this 21st day of October 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-17119; Filed, October 21, 1943;  
12:41 p. m.]

#### PART 3291—CONSUMERS DURABLE GOODS<sup>1</sup> [Limitation Order L-30-c, as Amended Oct. 21, 1943]

##### CAST IRON WARE

Section 3291.160<sup>1</sup> *Limitation Order L-30-c* is hereby amended to read as follows:

§ 3291.160 *Limitation Order L-30-c—*  
(a) *Definitions.* For the purposes of this order:

(1) "Cast iron ware" means any of the following articles when made of cast iron:

(i) Kitchen utensils used primarily in the preparation, cooking, serving or storage of food or beverages, whether for household, institutional, commercial, government or any other use, and racks for holding such utensils;

(ii) Sugar, wash and butchering kettles and English pots;

(iii) Sad irons, flat irons and Mrs. Potts' irons; and

(iv) Hot plates and flame tamers;  
"Cast iron ware" does not include electrical or gas appliances or power-driven equipment.

(2) "Manufacturer" means any person who produces or assembles any cast iron ware.

(3) "To put into process" means for a person to perform the first manufacturing or assembling operations on material or parts received by him.

(4) "Preferred order" means any purchase order or contract for cast iron ware which will be ultimately delivered to the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(b) *Restrictions on production.* (1) No manufacturer shall produce or assemble any cast iron ware except in accordance with Table A.

(2) The War Production Board may authorize the production of articles of cast iron ware not conforming to the specifications of Table A in fulfillment of a specific purchase order or contract for export. Applications for such authorization should be filed on Form WPB-1319 (formerly PD-556), which may be obtained from the nearest regional or district office of the War Production Board.

(c) *Applicability of regulations and other orders.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of cast iron ware to a greater extent than this order does, the other order shall govern unless it states otherwise.

(d) *Appeals.* Any appeal from this order should be made on Form WPB-1477 (formerly PD-500) and should be filed with the field office of the War Production Board for the district in which is

<sup>1</sup> Formerly Part 1052, § 1052.4

located the plant to which the appeal relates.

(e) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Reports.* (1) Each manufacturer shall file with the War Production Board, on or before October 31, 1943, Form WPB-3237 showing the amount of iron and steel put into process during the 12-month period ending June 30, 1941, in the production of each article in column (1) of Table A which he produces or intends to produce after September 30, 1943.

(2) On or before the twentieth day of the first month following each calendar quarter, beginning January 20, 1944, each manufacturer shall file with the War Production Board, Form WPB-1600 (formerly PD-655) showing all shipments of cast iron ware during the preceding calendar quarter and his inventory of cast iron ware.

(3) These reporting provisions have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-30-c.

Issued this 21st day of October 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

##### TABLE A

*General.* No manufacturer shall produce any cast iron ware which does not meet the specifications of the following table, except as provided in paragraph (b) (2) of Order L-30-c. Preferred orders are exempt from these provisions only where expressly mentioned in the table.

*Tolerances.* The capacity or size of any article may vary no more than 10% from the size stated in column (3).

*Quarterly quotas.* No manufacturer shall put into process in the production of cast iron ware during any calendar quarter more iron and steel than his quarterly quotas as shown in column (4). The quota is calculated by taking the percentage shown for an article and multiplying it by one-fourth of the amount of iron and steel put into process by him for that article in the twelve months ending June 30, 1941. These quotas apply to all articles, whether produced in fulfillment of preferred orders or otherwise.

(1) Articles	(2) Number of sizes per- mitted each manufac- turer	(3) Permitted sizes	(4) Quarterly quotas
Skillets.....	3	6½", 9" and 10½", in top diameter. One skillet in each diameter; manufacturer's choice of depth.	Per cent 150
Griddles.....	2	Manufacturer's choice; round or rectangular; with outside diameter or outside width of 12½" or over; except that smaller sizes may be made for preferred orders in addition to two sizes of 12½" or over.	50
Household kettle (12-quart or smaller).....	1	7-quart capacity.....	75
Sugar or wash kettle (20 gallons or smaller).....	1	16-gallon capacity.....	100
Butchering kettle (over 20 gallons).....	1	30-gallon capacity.....	100
Dutch oven.....	1	Manufacturer's choice.....	100
Either muffin pan or corn or bread stick pan.....	1	11- or 12-cup size for muffin pan; 7-stick size for corn or bread stick pan.	125
Sad irons or flat irons.....	Unlimited	Unlimited.....	100
Scouse kettles.....	Unlimited	Unlimited.....	Unlimited <sup>2</sup>

<sup>1</sup> Of muffin pans and corn or bread stick pans.<sup>2</sup> May be produced for preferred orders only.

[F. R. Doc. 43-17150; Filed, October 21, 1943; 12:40 p. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT<sup>1</sup>

[Conservation Order M-216 as Amended Oct. 21, 1943]

## CONSERVATION OF NEW AUTOMOTIVE VEHICLES SUBJECT TO RATIONING BY FEDERAL AGENCIES

§ 3292.96<sup>1</sup> *Conservation Order M-216*—(a) *Findings of fact with respect to reserve vehicles.* Approximately 393,000 new passenger automobiles and 130,000 new commercial motor vehicles are in the possession of or under the control of producers, distributors, dealers, sales agencies and finance agencies throughout the United States. These vehicles, hereinafter referred to as "reserve vehicles," are now held for ultimate use in the prosecution of the war through rationing procedures, established as to passenger automobiles by General Conservation Order M-130, effective June 8, 1942, and by Office of Price Administration New Passenger Automobile Rationing Regulations, Order No. 2A, effective March 2, 1942, and as to new commercial motor vehicles by General Conservation Order M-100, effective March 9, 1942. In view of the discontinuance of production, the stock of reserve vehicles herein referred to constitutes the total available supply of such vehicles in the United States. They are urgently needed for war purposes and for the maintenance of the industrial economy of the nation. The maintenance of these vehicles in prime mechanical condition is indispensable to their full utilization for the war purposes for which they are being reserved. These reserve vehicles can be maintained in prime mechanical condition provided conservation operations are performed upon them as set out in the Standards for Maintenance of New Automotive Vehicles, incorporated herein as Schedule 1.

(b) *Statement of policy with respect to requisitioning reserve vehicles.* The standards for maintenance of new auto-

<sup>1</sup> Formerly Part 3062, § 3062.1.

mobile vehicles set out as Schedule 1 to this order and made part thereof, are hereby adopted for the maintenance of reserve vehicles in storage in the possession of or under the control of producers, distributors, dealers, sales agencies and finance agencies. It is declared to be the policy of the War Production Board to require that all reserve vehicles be maintained in accordance with the said standards for maintenance. In order to effectuate this policy and to render all reserve vehicles available for war purposes and for the maintenance of the essential industrial economy, it is further declared to be the policy of the War Production Board to exercise its powers of requisition under existing law, and to seize reserve vehicles in the possession of producers, distributors, dealers, sales agencies and finance agencies, whenever it is found by the War Production Board or any federal agency acting in its behalf, that the mechanical condition of such vehicles has been impaired, or is threatened with impairment, due to failure on the part of the person in possession or control to comply with the Standards for Maintenance.

(c) *Reports required on reserve vehicles.* Every person in possession of reserve vehicles shall file with the nearest Regional Office, War Production Board, Reference Order M-216, a report of the condition of such vehicles on Form WPB-1565 (PD-641). The initial report shall be as of November 1, 1942, and shall be filed not later than November 10, 1942. Subsequent reports shall be filed thereafter at intervals of six months.

(d) *Definitions.* For the purposes of this order:

(1) "Reserve vehicle" means any of the following vehicles which have not been sold or otherwise disposed of under the rationing procedures of the War Production Board or the Office of Price Administration referred to in paragraph (a) above, and which are in storage in the possession of or under the control of producers, distributors, dealers, sales agen-

cies and finance agencies throughout the United States:

(i) Any 1942 model passenger automobile, built upon a standard or lengthened passenger car chassis, having a seating capacity of not more than ten (10) persons, irrespective of the number of miles it has been driven, or any other such passenger automobile of an earlier model which has been driven less than 1,000 miles, including taxis, but not including ambulances, hearses and station wagons.

(ii) Any new commercial motor vehicle, including any light, medium or heavy motor truck, truck tractor or trailer, or the chassis therefor, or any chassis on which a bus body is to be mounted, and which was manufactured subsequently to July 31, 1941; was designed to be propelled or drawn by mechanical power for use on or off the highways for transportation of property, or persons; was manufactured otherwise than under specifications of the United States Army or Navy; has not been transferred to any person other than a sales agency for the purpose of resale; including vehicles of the following types: trucks, truck chassis, truck tractors, off-the-highway motor vehicles, full-trailers, semi-trailers, dollies, attachment third axles, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pickups, but not including taxicabs and integral type buses.

(2) "Producer" means any person who manufactures, or has in the past manufactured, any reserve vehicles and now or hereafter has any such reserve vehicles in his possession or under his control.

(3) "Distributor" means any person other than the manufacturer regularly engaged in the business of selling reserve vehicles to dealers.

(4) "Dealer" means any person regularly engaged in the business of offering reserve vehicles for sale at retail to the public.

(5) "Sales agency" means any distributor or dealer and includes any agency or branch of a producer which sells reserve vehicles.

(6) "Finance agency" means any person regularly engaged in the business of financing or making loans, on the security of reserve vehicles, to producers, distributors, dealers or sales agencies, and who on August 29, 1942, or thereafter has any lien or any claim against any such reserve vehicle as security for a loan or other financing arrangement.

(7) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(e) *Records.* All records required to be kept and reports required to be made under this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(f) *Violations.* Any person who willfully violates any provision of this order,

or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Communications.* All reports required by this order and all communications concerning this order shall be addressed to the nearest Regional Office, War Production Board, Reference Order M-216.

Issued this 21st day of October 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE I

NOTE: Items 6 and 8 amended Oct. 21, 1943.

#### Standards for Maintenance of New Automotive Vehicles

The following standards for maintenance are established for the preservation and care of new passenger automobiles and new commercial motor vehicles while in storage in the possession of or under the control of producers, distributors, dealers, sales agencies, and finance agencies. These vehicles, as defined below, are termed for convenience "reserve vehicles." While set up primarily for the servicing of reserve vehicles, the standards for maintenance are equally appropriate for the preservation of similar vehicles whenever the same are to be kept in storage.

#### Vehicles to Which Standards Are Applicable

The reserve vehicles to which these standards for maintenance apply are those new passenger automobiles and new commercial motor vehicles held subject to rationing under orders of the War Production Board and the Office of Price Administration, as to passenger automobiles by General Conservation Order M-130, effective June 8, 1942, and by Office of Price Administration New Passenger Automobile Rationing Regulations, Order No. 2A, effective March 2, 1942, and as to new commercial motor vehicles by General Conservation Order M-100, effective March 9, 1942, while in storage, in the possession of or under the control of producers, distributors, dealers, sales agencies or finance agencies. They are defined as follows:

1. Any 1942 model passenger automobile, built upon a standard or lengthened passenger car chassis having a seating capacity of not more than ten (10) persons, irrespective of the number of miles it has been driven, or any other such passenger automobile of earlier model which has been driven less than 1,000 miles, including taxis, but not including ambulances, hearses and station wagons.

2. Any new commercial motor vehicle, including any light, medium or heavy motor truck, truck tractor, or trailer, or the chassis therefor, or any chassis on which a bus body is to be mounted, and which was manufactured subsequently to July 31, 1941; was designed to be propelled or drawn by mechanical power for use on or off the highways for transportation of property, or persons; was manufactured otherwise than under specifica-

tions of the United States Army or Navy; has not been transferred to any person other than a sales agency for the purpose of resale; including vehicles of the following types:

Trucks, truck chassis, truck tractors, off-the-highway motor vehicles, full-trailers, semi-trailers, dollies, attachment third axles, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pickups, but not including taxicabs and integral type buses.

#### Standards for Maintenance New Passenger Automobiles and Commercial Motor Vehicles

(These standards for maintenance correspond with those of the Revised Price Schedule #85 issued by the Office of Price Administration.)

#### General Instructions

1. All reserve vehicles, other than full-trailers and semi-trailers, must be stored indoors. Select a clean, dry building suitable for the storage of new passenger automobiles and commercial vehicles. Cover all openings through which animals and birds may enter storage space. Prevent water leakage. Remove loose dirt and whitewash lime.

2. Allow sufficient space between vehicles for accessibility to perform all specified maintenance operations.

3. The operations specified under the heading "Maintenance Operations" are of two categories: "Initial" operations, which if not already performed, are to be performed, and "Repeat" operations, which must be performed at intervals of six months, or when necessary, as indicated below.

No.	When to be done	Item	Maintenance operations
#1	Initial and whenever necessary.	Vehicle.....	(a) Thoroughly wash vehicle; remove all foreign substances, mud, dirt, grease spots, oil, tar. (b) Check paint, touch up all exposed metal surfaces to prevent rust. Remove blades; store in glove compartment.
*2	Initial.....	Windshield wiper.....	(a) Clean and moth-proof all upholstery, including seat cushions, seat backs, side walls, headlinings, floor mats and carpets.
*3	Initial and every six months.	Upholstery and floor coverings.	(b) After moth-proofing upholstery, protect it from direct sunlight, except when on display in customary display room, by one of the following methods: (1) Cover all openings through which light may enter storage space. (2) Cover the inside of all car windows and windshields with paper, using masking tape. (3) Cover the car with a paper or cloth cover. (4) Completely cover all upholstery with paper, using masking tape.
	Initial.....		(c) Place floor mats in their normal position on floor, not rolled up.
#4	Initial and whenever necessary.	Chrome plated surfaces.....	Thoroughly wash and clean all chrome plated surfaces with clear water; when dry, apply a coating of light oil, liquid wax, or special preparations; wipe off until no excess oil or wax appears on the surface of the chrome.
8	Initial.....	Convertible tops.....	With respect to convertibles, see that the tops are up and leave the shipping cover over the top, or cover it with paper, using masking tape.
*6	Initial.....	Engine.....	(a) Drain engine oil and refill crank case with at least 1/2 charge of rust-inhibiting oil. (b) Run engine for 5 minutes at idle speed or about 1,000 R. P. M. Leave this oil in engine. (c) At six month intervals turn over the engine with a battery or by turning the rear wheels, with the transmission in gear, to insure that the oil in the engine and lubricants in the transmission and rear axle assembly are properly distributed.
*7	Initial.....	Fuel system and carburetor.	(a) Drain gasoline tank completely and replace filler cap to exclude dust. (b) Run engine until all gasoline is consumed.
*8	Initial..... Repeat every six months.	Spark plugs.....	Remove spark plugs. Inject 2 ounces of rust-inhibiting oil into each cylinder when piston is on the power stroke. Slowly turn engine over a few revolutions with starter. Replace spark plugs.
*9	Initial.....	Valve compartment (overhead valve engines).	Remove cover. Spray rust-preventive compound or S. A. E. 10-W on mechanism and inside cover, or pack with oil soaked rags. Replace cover.
*10	Initial.....	Seal engine.....	Seal the engine. This can be done in the following manner: Remove engine oil filler tube cover and crank case breather cover, if there is one, and seal the openings. Also seal the air cleaner, tail pipe, and any other openings into the engine. Tubes or pipes can be sealed satisfactorily by covering with a small piece of oiled or waxed paper, gathering the edges of the paper around the tube and tying them with a cord. The air cleaner can be sealed conveniently by covering with a paper bag and tying a cord around it at the solid part on the engine side of the air intake openings. Sealing the engine to a large extent prevents air moisture from entering the engine.
			NOTE.—Since no provision has been made for turning the engine over at regular intervals, it is absolutely essential that the recommended procedure for conserving the engine be followed carefully.
*11	Initial.....	Battery removal.....	(a) Remove the battery and store it in a cool place near recharging equipment, to facilitate servicing. Clean battery connections and wipe with light grease.

NOTE: (1) All maintenance operations and storage requirements are applicable to new passenger automobiles. (2) Symbol (\*) indicates maintenance operations applicable to new commercial motor vehicles except trailers, third axles and dollies. (3) Symbol (#) indicates maintenance operations applicable to trailers, third axles and dollies.

No.	When to be done	Item	Maintenance operations
*11	Initial.....	Battery removal.....	(b) If dealer has portable battery charging equipment, he may elect to leave battery in car. In either case battery must be maintained as per Item 12 below.
*12	Initial and as specified under Maintenance operations.	Battery maintenance.....	(a) Check the specific gravity at regular intervals of six weeks, except in extremely hot weather when inspection periods should be cut to three weeks. (b) Check and correct water level at each inspection and recharge batteries as necessary to bring gravity reading to 1.280 or above. In no case should the specific gravity be allowed to fall below 1.220. These specific gravity readings are given for batteries at 60° F. air temperature. Completely drain cooling system including radiator, cylinder block, pump, heater, hose and all water connections. Leave system dry. NOTE: If coolant contains anti-freeze and rust-inhibiting solution it may be left in the cooling system. Leave all brakes in released position.
*13	Initial.....	Cooling system.....	Block the pedal of dry clutches in partially disengaged position. It is not necessary to disengage other type clutches.
*14	Initial.....	Brakes.....	(a) <i>Indoor storage.</i> Jack up vehicle in storage location taking weight off the tires. Maintain the air in tires between $\frac{1}{4}$ and $\frac{3}{4}$ operating pressure so that vehicles can be pushed or towed out quickly if necessary in an emergency. Tension in cords will be relieved by lowered pressure.
*15	Initial.....	Clutch.....	(b) <i>Outdoor storage in the case of trailers.</i> Jack up vehicles in storage space. Remove tires from wheels. Leave wheels mounted on axle spindles. Lower weight of trailer to rest upon wheels. Store tires in a dark cool place protected from direct sunlight, in a horizontal position, with separators. Lubricate with light oil all latches, hinges, brake connections, vertical supporting mechanisms, and fifth wheels.
*16	Initial and as specified under maintenance operations.	Tires.....	(a) Close all doors, windows, and vents tightly. (b) Close all venti-panes. (c) Leave cowl ventilator open (if screened).
*17	Initial and, if necessary, every six months where applicable.	Latches, hinges, brake connections, vertical supporting mechanisms, and fifth wheels.	
*18	Initial where applicable.	Doors, windows, and vents.	

NOTE: In the performance of Items 6 and 8 (Maintenance Operations 6 (a) and 6 (b) and Item 8) the rust inhibiting oil must fully comply with specifications identified as "CRC Designation L-7-443" and published by the Cooperative Research Council, 30 Rockefeller Plaza, New York, N. Y., April, 1943; or the U. S. Army Ordnance Specification #AXS-674 or #AXS-934. Reserve vehicles which are not processed with a product meeting these specifications must be reprocessed with a product which fully complies with these specifications.

[F. R. Doc. 43-17121; Filed, October 21, 1943; 12:41 p. m.]

#### PART 3208—SCHEDULED PRODUCTS

[Table 8 as Amended Oct. 22, 1943 to General Scheduling Order M-293]

#### POWER DIVISION, OFFICE OF WAR UTILITIES

##### § 3208.9 Table for Power Division.

(a) The following amended table is issued pursuant to the provisions of General Scheduling Order M-293.

NOTE: 7c added; former 7c, 7d redesignated 7d, 7e; 20 amended Oct. 22, 1943.

Table of scheduled products	Designation	Applicable forms column 1		
		1	2	3
1. Steam, hydraulic, or gas-propelled turbines unless designed for ship propulsion or aircraft use.....	XZ	-----	3120	-----
2. Turbine-generator sets (any combination of one or more turbines and electric generators built to operate as a set) unless designed for ship propulsion, aircraft use, or locomotive headlight service.....	XZ	-----	3120	-----
3. Steam engine-driven generator sets.....	X	-----	3003	-----
4. Diesel and natural gas engines, 750 r.p.m. and less, excluding equipment for marine use.....	XZ	878	878	-----
5. Diesel and natural gas engine-driven generators, 750 r.p.m. and less, excluding equipment for marine use.....	XZ	1801	2810	-----

<sup>1</sup> A manufacturer of a Class X product must file his shipping schedule on Form WPB 3003 or 3401 or on the form shown in Column 2 at his option.

Table of scheduled products	Designation	Applicable forms column, 1		
		1	2	3
6. Generators designed to be propelled by a steam, hydraulic or gas turbine or steam engine, unless designed for ship propulsion, aircraft use, or locomotive headlight service.....	XZ	1801	3120	-----
7. Boilers, boiler units, and auxiliaries listed below, excluding those for marine or locomotive use:				
a. Water-tube steam boilers having 500 or more square feet of boiler heating surface (50 HP), designed to withstand a safe working pressure in excess of 15 pounds per square inch.....	XYZ	-----	1790	2645
b. Fire-tube steam boilers for waste heat service, down-therm vapor boilers, mercury vapor boilers, and electric boilers.....	XYZ	-----	1790	2645
c. Fire-tube steam boilers not included in b above which are designed to withstand a safe working pressure in excess of 15 pounds per square inch.....	X	-----	1790	-----
d. The following boiler auxiliaries when incorporated in or to be installed as				

Table of scheduled products	Designation	Applicable forms column		
		1	2	3
7. Boilers, etc.—Cont. a part of a boiler unit listed in a or b above are to be included in reports and requests for approval under a and b above and no additional reports or requests are required: (i) Superheaters..... (ii) Desuperheaters..... (iii) Economizers..... (iv) Airheaters..... (v) Water walls and water-cooled furnaces.....				
e. The following boiler auxiliaries when not incorporated in or to be installed as a part of a boiler unit listed in a or b above: (i) Superheaters..... (ii) Desuperheaters..... (iii) Economizers..... (iv) Airheaters..... (v) Water walls and water-cooled furnaces.....	XZ	-----	1790	-----
8. Pulverizers and related combustion equipment installed for the primary purpose of pulverizing solid fuel for firing any type of furnace, excluding those for marine and locomotive use.....	XZ	-----	1790	-----
9. Automatic stokers designed for burning solid fuel, with an active projected grate surface in excess of 36 square feet, excluding stokers for locomotive and marine use. The term active projected grate surface means grate surface through which air is supplied to the fuel bed, either continuously or intermittently.....	XZ	-----	1790	-----
10. Soot blowers—any device using steam or air to blow soot, cinders, or slag from the heating surfaces of furnaces, boilers, stills and other types of direct-fired heat exchangers, excluding those for locomotive or marine use.....				
11. Steam condensers (surface, jet and barometric), inter and after condensers, and air ejectors, or any combination thereof, including marine condensers and air ejectors other than those produced for the United States Navy for use on ships.....	XZ	-----	3003	-----
12. Power frequency changers, 62½ cycles and below.....	XZ	-----	1790	-----
13. Synchronous condensers.....	XZ	-----	1790	-----
14. Mercury arc rectifiers and electronic frequency changers for power use.....	X	-----	2792	-----
15. Oil circuit breakers of 2,200 volts or higher.....	XZ	-----	1790	-----
16. Air circuit breakers except types AB, ET, or similar.....	XZ	-----	1790	-----
17. Metal clad switchgear containing oil or air circuit breakers listed in 15 and 16 above and power switchboards.....	XZ	-----	1790	-----
18. Capacitors for power factor correction.....	X	-----	2800	-----

Table of scheduled products	Designation	Applicable forms column		
		1	2	3
19. Liquid-filled power or distribution transformers of 250 KVA and larger; unit substations and unit load centers containing such transformers	XYZ		2642	2643
20. Liquid-filled power or distribution transformers 1½ KVA and larger; dry-type transformers with primary voltage 601 volts and above, dry type transformers with primary voltage 600 volts and below with capacities 201 KVA and above (single phase) or with capacities 301 KVA and above (three phase)	YZ			2643
21. Unit substations and unit load centers, containing transformers listed in 20 above	YZ			2643
22. Hammer forged, press forged, and cast crankshafts—finished	XZ	878C	878C	
23. Transformers, reactors, and chokes for non-power (electronic) applications only		3002.31		

A person placing an order for a Class Y product must use the form shown in Column 3 to obtain WPB authorization unless the product is also in Class Z and he is placing the order under paragraph (e) of M-293.

A person placing an order for a Class Z product under paragraph (e) of M-293 must use Form WPB-3003, 3400, or 3401, as specified in the instructions he received, to accompany his purchase order. If the product is also Class Y, he should use that same form to obtain WPB authorization instead of the form shown in Column 3.

Issued this 22d day of October 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-17156; Filed, October 22, 1943;  
10:51 a. m.]

#### PART 3293—CHEMICALS

[Allocation Order M-340 as Amended  
Oct. 22, 1943]

##### MISCELLANEOUS CHEMICALS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of the chemicals subject to this order for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

#### § 3293.491 Allocation Order M-340—

(a) *Definitions.* (1) "Subject chemical" means any chemical listed in Appendix A, as therein defined.

(2) "Producer" means any person engaged in the production of any subject chemical and includes a person who imports any subject chemical or has it produced for him pursuant to toll agreement.

(3) "Distributor" means any person who buys any subject chemical for the purpose of resale without further processing and without changing the form thereof.

(4) "Supplier" means a producer or distributor.

(b) *Restrictions on deliveries.* (1) On and after the applicable effective date stated in Appendix A, no supplier shall deliver a subject chemical to any person except as specifically authorized or directed in writing by War Production Board. No person shall accept delivery of a subject chemical which he knows or has reason to believe is delivered in violation of this order.

(2) Authorizations or directions as to deliveries to be made by suppliers in each calendar month will generally be issued by War Production Board prior to the beginning of such month, but may be issued at any time. They will normally be issued on Form PD-602 which is to be filed by the supplier with War Production Board as explained in paragraph (g) below.

(3) If a supplier is authorized or directed by War Production Board to deliver a subject chemical to any specific customer or group of customers, but is unable to make the delivery either because of receipt of notice of cancellation or otherwise, the subject chemical shall revert to inventory, and shall not be delivered, or used, without further instructions.

(c) *Exceptions for small deliveries.*

(1) Specific authorization in writing of War Production Board is not required for delivery by any supplier to any person in any calendar month of a subject chemical in a quantity not exceeding the quantity stated in Column 3 of Appendix B.

(2) The aggregate quantity of a subject chemical which any supplier may deliver in any calendar month pursuant to paragraph (c) (1), shall not exceed the quantity which War Production Board shall in writing specifically authorize or direct such supplier to deliver in such month under paragraph (c) (1), on application made by such supplier (in the normal case on Form PD-602 filed pursuant to paragraph (g) hereof).

(d) *Exceptions for deliveries for other reasons.* Specific authorization in writing of War Production Board is not required for delivery of a subject chemical by any supplier to any other person for a purpose stated in Column 4 of Appendix B.

(e) *Restrictions on use.* (1) On and after the applicable effective date stated in Appendix A, no supplier shall use a subject chemical except as specifically authorized or directed in writing by War Production Board.

(2) Each person who with an order for a subject chemical furnishes a certificate required by paragraph (f) shall use the subject chemical delivered on such order only as specified on such certificate except as otherwise specifically authorized or directed in writing by War Production Board.

(3) War Production Board may from time to time issue directions with respect to the use or uses which may or may not be made of a subject chemical to be delivered to, or then in inventory of, the prospective user.

(f) *Supplier to obtain from customer a certificate of use.* No supplier shall in any calendar month (beginning in the case of each subject chemical with the

calendar month following the month in which the order becomes effective as to that chemical as stated in Appendix A) deliver to any person a greater quantity of such subject chemical than is stated in Column 3 of Appendix B, unless he shall have received from such person a certificate as to the use for which such person is ordering such subject chemical. Such certificate must be received by the supplier not later than the 15th day of the month preceding the month in which delivery is to be made. It need not be filed with War Production Board. A supplier must not deliver a subject chemical where he knows or has reason to believe the purchaser's certificate is false, but in the absence of such knowledge or reason to believe, he may rely on the certificate.

(g) *Applications by suppliers for leave to deliver or use.* (1) Each supplier requiring authorization to make delivery of, or to use, a subject chemical during any calendar month shall file application on or before the 20th day of the preceding month. The application should be made on Form PD-602 in the manner set forth in the general instructions appearing on that form, subject to the special instructions contained in Appendix D. If there is an inconsistency between the general and special instructions, the special instructions must be followed.

(2) War Production Board may issue to any supplier other and further directions with respect to preparing and filing Form PD-602.

(h) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of War Production Board, as amended from time to time.

(2) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref: M-340.

Issued this 22d day of October 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### APPENDIX A

Chemicals subject to this order. (1) "Acetaldehyde" means the chemical known by that name and by the names aldol, beta hydroxy butyric aldehyde, oxybutanol, 3-hydroxy butanal.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(2) "ST-115" means the preparation known by that trade name, as defined and specified in Appendix to Regulation No. 3

(1942 Revision) of the Bureau of Internal Revenue.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(3) "Dehydrol-O" means the chemical known by that trade name, as defined and specified in Appendix to Regulations No. 3 (1942 Revision) of the Bureau of Internal Revenue.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(4) "G. C.-78" means the chemical known by that trade name.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(5) "By-product—phosphoric acid" means phosphoric acid obtained as a by-product in the manufacture of methyl methacrylate.

Effective date—September 1, 1943. Comes in the following grades: no grades.

(6) "Oxidized petrolatum" means high paraffinic petrolatum oxidized and processed to contain aliphatic ketones, and which is suitable for use as a base in the manufacture of rust preventive compounds or corrosion inhibitors meeting specification Nos. AXS-673, 52-C-18 and AN-C-52, such as those petrolatums known by the trade marks Paral-Ketone, Alox 707, Alox 701 and Alox 600.

Effective date—October 9, 1943. Comes in the following grades: no grades.

(7) "Vinsol" resin and "Truline" binder means the resins known by those registered trade marks or any similar resin obtained from the oleo-resin of pine wood and having the following properties:

Maximum solubility in petroleum naphtha 20%; complete solubility in lower alcohols; toluene insoluble 10 to 30 per cent; methoxy content 4 to 6 per cent; acid number 90 to 110; softening point (ASTM ball and ring method) 103° to 118° Centigrade.

Effective date—October 9, 1943. Comes in the following grades: no grades.

(8) "Methyl abietate" means the chemical known by that name and by the trade mark "Abalyn".

Effective date—October 9, 1943. Comes in the following grades: no grades.

(9) "Hydrogenated methyl abietate" means the chemical known by that name and by the trade mark "Hercolyn".

Effective date—October 9, 1943. Comes in the following grades: no grades.

(10) [Deleted Oct. 22, 1943.]

#### APPENDIX B

1	2	3	4
Name of chemical	Unit of measure	Maximum quantity deliverable to any one person in any calendar month without specific authorization, and without certificate required by paragraph (f).	Purpose for which delivery may be made without specific authorization, regardless of quantity. (See par. (d).)
(1) Acetaldol...	Gallon...	54 gallons.....	None.
(2) ST-115.....	Gallon...	54 gallons.....	None.
(3) Dehydrol-O...	Gallon...	54 gallons.....	None.
(4) G. C.-78.....	Gallon...	54 gallons.....	None.
(5) By-product phosphoric acid.....	Ton.....	5 Tons.....	None.
(6) Oxidized petrolatum.....	Pound...	25 pounds.....	None.
(7) Vinsol resins.....	Pound...	500 pounds.....	None.
(8) Methyl abietate.....	Pound...	450 pounds.....	None.
(9) Hydrogenated methyl abietate.....	Pound...	450 pounds.....	None.
(10) Deleted Oct. 22, 1943.			

#### APPENDIX C—CUSTOMER'S CERTIFICATE OF INTENDED USE

The undersigned purchaser hereby certifies to War Production Board and to his supplier, pursuant to Order No. M-340, that the \_\_\_\_\_ (specify subject chemical) ordered for delivery in \_\_\_\_\_, 194\_\_\_\_, Month \_\_\_\_\_

will be used by him for the manufacture or preparation of the following product(s), and that such product(s), on the basis of order(s) filed with the undersigned, will be put to the following end use(s):

	Quantity	Primary product	End use
(A).....	.....	.....	.....
(B).....	.....	.....	.....

#### Name of purchaser

By \_\_\_\_\_ Date \_\_\_\_\_ Duly authorized official \_\_\_\_\_ Title \_\_\_\_\_

Instructions for customer's certificate.  
(1) The certificate shall be signed by an authorized official of the purchaser, either manually or as provided in Priorities Regulation No. 7.

(2) Where a purchaser wishes to receive more than the exempted quantity of each of two or more subject chemicals, a separate certificate shall be obtained as to each.

(3) The purchaser will specify under "Primary product", the exact product or products in the manufacture or preparation of which the subject chemical will be used or incorporated. Distributors ordering the subject chemical for resale as such will specify "Resale". If purchase is for inventory, state "Inventory".

(4) Under "End use", purchaser will specify the ultimate or end use to which the primary product will be put. He will also indicate whether civilian, Lend-Lease, other export or military, and if the product is for uses falling in two or more such categories, the percentage falling in each. Also, he will give contract numbers in the case of military use or Lend-Lease, and in the case of export, export license numbers. A distributor ordering the subject chemical for resale as such will leave blank the "End Use" column.

#### APPENDIX D—SPECIAL INSTRUCTIONS FOR SUPPLIER'S FORM PD-602

(1) *Obtaining forms.* Copies of Form PD-602 may be obtained at local field offices of the War Production Board.

(2) *Number of copies.* Prepare an original and three copies. File original and two copies with War Production Board, Chemicals Division, Washington 25, D. C., Ref.: M-340, retaining the third copy for your files. The original filed with the War Production Board shall be manually signed by a duly authorized official.

(3) *Separate set for each chemical.* Where the supplier's application relates to deliveries of two or more subject chemicals, he will file a separate set of Form PD-602 for each.

(4) *Information at top of form.* In the heading, under "Name of Material", specify the subject chemical to which the Form PD-602 relates; under "Grade", specify grade stated in Appendix A, or if no grade specified, leave blank; under "WPB Order No.", specify "M-340"; indicate month and year during which deliveries covered by the application are to be made; under "Unit of Measure", specify unit of measure stated in Column 2 to Appendix B; under name of company, specify your name and the address of the plant or warehouse from which shipment will be made.

(5) *Listing of customers.* In Column 1 (except for small orders as explained in (7) below) list the name of each customer from whom an order for delivery of the subject chemical during the applicable month has been received. If it is necessary to use more than one sheet to list customers, number each sheet in order and show the grand total on last sheet which is the only one that need be certified.

(6) *Primary product and end use.* In Column 1-a (except for small orders as explained in (7) below), specify the product or products in the manufacture or preparation of which the subject chemical will be used by your customer, the end use to which such product or products will be put, and military or Lend-Lease contract numbers, and export license numbers, all as indicated by the certificate obtained under paragraph (f) of this order. The quantity of the subject chemical used in the manufacture or preparation of each primary product for each product use shall be shown separately. If the subject chemical ordered by a customer is for two or more uses, indicate each use separately and indicate the quantity of the subject chemical ordered for each use.

(7) *Small orders.* The supplier need not list the name of any customer to whom he is to deliver in the applicable month a quantity of the subject chemical not exceeding the maximum quantity (indicated in Column 3 of Appendix B) which he is permitted to deliver to any one person in any calendar month without specific authorization. Also, in the case of any such delivery, he need not show the name of the product or the end use. Instead, he must write in Column 1 "Total small order deliveries (estimated)" and in Column 4, must specify the total estimated quantity of the subject chemical to be delivered on such orders.

(8) *Use by producers.* A producer requiring permission to use a part or all of his own production of the subject chemical shall list his own name as customer in Column 1 on Form PD-602, specifying quantity required and product manufactured. Written approval of War Production Board on such Form PD-602 shall constitute authority to the producer to use the subject chemical in the quantity and for the purposes indicated in such approved form.

(9) *Table II.* Each producer will report production, deliveries and stocks as required by Table II, Columns 9 to 16, inclusive. Distributors will fill out only Columns 10, 12 and 13. Producers and distributors will show in Column 8 Grade, as stated in Appendix A, or if no Grade is there specified, will leave Column 8 blank.

[F. R. Doc. 43-17157; Filed, October 22, 1943; 10:51 a. m.]

#### PART 3296—SAFETY AND TECHNICAL EQUIPMENT

[Limitation Order L-114 as Amended Oct. 22, 1943]

#### SAFETY EQUIPMENT

The fulfillment of requirements for the defense of the United States has created shortages in the supplies for the war effort, for private account and for export, of materials entering into the production of safety equipment; and the following order is deemed necessary and appropriate in the public interest and to promote the war effort:

§ 3296.36 *General Limitation Order L-114—(a) Definitions.* For the purposes of this order:

(1) "Safety equipment" means equipment and devices designed primarily to promote safety or to prevent or reduce accidents, injuries, occupational hazards or diseases, including but not by way of limitation, the following articles: guards, goggles, shields, safety cans, oily waste cans, harnesses, headgear, belts, shoes, safety clothing, masks, respirators, inhalators, resuscitating apparatus, hazard measuring devices, protective creams, treads, and warning signs. The term shall not include any automotive or traffic equipment or devices.

(2) "Hazard measuring devices" means devices or instruments designed to detect, indicate, measure or record the presence of poisonous or combustible gases or other harmful substances in the atmosphere for the purpose of promoting safety or preventing or reducing occupational accidents, diseases and hazards of all types. The term shall not include "industrial instruments" as defined in Limitation Order L-134, nor "laboratory equipment" as defined in Limitation Order L-144.

(3) "Safety clothing" means apparel containing special features or constructions designed primarily to protect the wearer from occupational injuries. The term does not include clothing designed primarily for protection against weather or for general work purposes.

(b) *Restrictions on use of scarce materials.* Except as provided in paragraph (c) below, or upon specific authorization of the War Production Board, no person shall incorporate in the manufacture of safety equipment, or in any component part thereof, or sell, deliver, rent, purchase, accept delivery of or obtain any safety equipment or parts thereof, in which there is incorporated or used, any of the following materials: aluminum, asbestos cloth, chromium, copper, copper base alloys, nickel, corrosion resisting steel, alloy steel tin, synthetic plastics, rubber, synthetic rubber or elastic fabric, as defined in Conservation Order M-174.

(c) *General exceptions.* Paragraph (b) shall not apply to safety equipment assembled or manufactured:

(1) Prior to May 5, 1942, or from parts which were finished and ready for assembly on said date, provided such safety equipment is delivered to fill purchase orders bearing preference ratings of A-10 or higher, or

(2) From materials to the extent permitted in Appendix A hereof, or

(3) For delivery to or for the account of, the Army or Navy of the United States, the Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics or the government of any country entitled to deliveries under the Act of Congress of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), provided, and to the extent that the materials designated in paragraph (b) are necessary for efficient functioning and required endurance of safety equipment intended for use:

(i) In or on completed vehicles, aircraft, or ships, or

(ii) Outside of continental United States, or in Alaska, or

(iii) In the protection of military or naval personnel while not engaged in production, maintenance, or repair.

(4) Any order or contract from any agency or government mentioned in paragraph (c) (3) requiring the incorporation or use of scarce materials designated in paragraph (b) shall constitute a representation that the conditions exist under which such scarce materials may be incorporated or used within the terms of this order. Said representation may be relied on by the person with whom the purchase order or contract is placed, his sub-contractors, and suppliers.

(d) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time.

(e) *Records.* All persons to whom this order applies shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(f) *Audit and inspection.* All records required to be kept by this order shall, upon request be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(h) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Communications.* All reports required to be filed hereunder and all other communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Safety and Technical Equipment Division, Washington 25, D. C., Ref.: L-114.

(k) *Effect of other orders.* With respect to the use of the materials named herein for incorporation in the products named herein, or in component parts thereof, this order shall be subject to all other orders to conserve specific raw materials (M orders), and all orders providing for a preference rating in deliveries, or for allocation, as are now or may hereafter be in effect.

Issued this 22d day of October 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

# APPENDIX A

Pursuant to the provisions of paragraph (b) of the above order, the following materials may be used to the extent indicated:

(1) Asbestos cloth in protective clothing, for industrial operations involving intense heat or handling of hot objects or for fire-fighting.

(2) Copper or copper base alloys, other than nickel silver, when essential to the proper functioning of:

(a) Eyelets, rivets, and fasteners worn on the person where the use of non-sparking or non-corrosive material is essential for specific safety purposes and eyelets having a diameter of  $\frac{1}{16}$  inch or less for safety equipment where steel eyelets in available sizes cannot be used.

(b) Frames, side screen binders and temples for spectacle type goggles and frames for slip-overs for industrial spectacles.

(c) Valves, unions, ferrules, tubing, connections, housings, non-sparking fittings, fastenings, gaskets, pins, probe tubes, orifices, regulators and bearings, for respirators, gas masks or hazard measuring devices through which explosive, toxic, or corrosive gases, dusts or fumes may pass.

(d) Valves, tubing, manifolds, chambers, gaskets, discs, breaker valves, unions, connections, mouthpieces, orifices and facepiece parts on safety equipment through which oxygen or air under pressure is conducted.

(e) Conductors of electricity for safety devices and appliances.

(f) Lens retaining rings and fittings on gas mask facepieces.

(g) Exhalation and inhalation valve inserts and angle tubes for gas masks, air line respirator and breathing apparatus, face and mouth pieces.

(h) Tubing and fittings in hazard measuring devices.

(i) Screen for mask type goggles or hoods.

(j) Bridge clips for molded goggles.

(k) Cylinders, valves, tubing and regulators for compressed air, mechanical guarding devices.

(l) Internal valve mechanisms of safety filling cans with flexible pouring spouts, provided that the net weight of copper base alloy shall not exceed two ounces per can and that such alloy shall not be used in screens (or parts thereof) designed for non-flash-back or strainer purposes.

(m) Wire mesh for side screens for goggles.

(3) Nickel in:

(a) Nickel silver for any part (except side shields) of spectacle type goggles until, but not after, October 22, 1944. (The nickel silver shall contain not more than 10% nickel. Furthermore, no manufacturer of spectacle type goggles shall use any nickel silver in the manufacture of spectacle type goggles unless he knows or has reason to believe that at least 90% of the nickel content of the nickel silver was obtained from scrap; and no producer of nickel silver shall sell or deliver any nickel silver to a manufacturer of spectacle type goggles for use in manufacturing such goggles unless he knows or has reason to believe that at least 90% of the nickel content of the nickel silver was obtained from scrap.)

(b) Nickel silver for the following, but not to exceed 10% nickel in such alloy:

(i) Valve inserts for respirators.

(ii) Reducing, admission, dilution, check and safety valve pins, stems, plungers, inserts, screws, spiders, sleeves, yokes and bearings on gas masks breathing apparatus or hazard measuring devices.

(c) Leaded nickel silver for goggle frame screws and rivets but not to exceed 18% nickel in such alloy.

## (d) Nickel plating for:

(1) Spectacle type goggles and slip-overs for industrial spectacles.

(ii) Safety and admission valves, saliva tubes and mouthpieces for oxygen breathing apparatus; facepiece check valve bodies for inhalators; and check valves for hose masks; to the extent necessary for the efficient functioning of the named parts.

(e) Nickel silver (containing not more than 10% nickel in the alloy) for spring clips, lugs, fasteners and clamps on slip-overs for industrial spectacles.

## (4) Alloy steel in:

(a) Oxygen cylinders for breathing apparatus and inhalators, to the extent required to meet the specifications of the Interstate Commerce Commission.

(b) Foot guards and toe guards (where the use of any less critical material is not practicable), to the extent necessary to provide adequate protection against impact injuries, provided that only NE 8630 or a lower grade steel may be used.

(5) Tin in solder as permitted by Conservation Order M-43, as amended from time to time.

## (6) Synthetic plastics in:

(a) Protective hats and caps.

(b) Face shields.

(c) Goggle frames.

(d) Lenses and laminated glass.

(e) Respirator and gas mask parts.

(f) Mounting panels, rheostats, connections, plugs, and insulation in cases, for hazard measuring devices when necessary for efficient operation.

(g) Safety clothing.

(h) Salt tablet dispensers.

(i) Machine guards.

(j) Goggle headbands.

(7) Rubber and synthetic rubber, to the extent permitted by Rubber Order R-1, as amended, or to the extent permitted by any relief granted pursuant to an appeal taken in accordance with the provisions of that order.

(8) Elastic fabric in safety equipment to the extent necessary for efficient functioning and required endurance, except that when elastic fabric is used in headbands for the following safety equipment it shall not exceed the lengths specified hereafter:

(a) Cut type goggles—21 inches.

(b) Respirators—12 inches when crude or synthetic rubber is used; to the extent necessary for efficient functioning and required endurance when reclaimed or scrap rubber is used.

(9) Aluminum in the following safety equipment, where the use of any other less scarce material is not practicable (Magnesium should be used in place of aluminum for these items where the use of magnesium is practicable.):

(a) Supplied-air mask and hood inhalation and exhaust valves, lens retaining assembly, and hood interliner.

(b) Respirator, inhalation and exhaust valves, screw caps, cartridge and filter body assemblies, but only if used with screw type cap.

(c) Gas mask angle, Y and T tubes, inhalator and exhaust valves and tube inserts.

(d) Oxygen breathing apparatus angle tubes, Y tubes and breathing tube inserts.

(e) Goggle side shields and lens retaining rings.

(f) Machine guards, to the extent authorized by the War Production Board. (Application for authorization to use aluminum in machine guards must be made by addressing a letter in duplicate to the Safety and Technical Equipment Division, War Production Board, Washington, D. C. The letter should specify the weight, form, and alloy of aluminum needed and the reasons why aluminum is required in the particular case.)

[F. R. Doc. 43-17158; Filed, October 22, 1943; 10:51 a. m.]

## Chapter XI—Office of Price Administration

## PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 348,\* Amdt. 11]

## LOGS AND BOLTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Table 1, Appendix G of Maximum Price Regulation 348, is amended by restating the paragraph entitled "Chemical bolts" under the heading "Maximum Prices", so that it reads as follows:

## MAXIMUM PRICES

*Chemical bolts.* \$21.00 per M when purchased on basis of Scribner log rule scale. \$3.00 per ton of green wood as delivered when purchased on a weight basis. \$9.00 per scaled cord when purchased on volume basis as provided above.

Where chemical bolts produced in a secondary or salvage logging operation are sold on a weight basis delivered at Marquette, Michigan, or f. o. b. cars on the Lake Superior and Ishpeming Railroad, The Manistique and Lake Superior Railroad, The Duluth South Shore and Atlantic Railroad, or the Copper Range Railroad, the above maximum price on chemical bolts may be increased by \$0.62 per ton.

*Definition.* As used in the preceding paragraph, a secondary or salvage operation is one in which a chemical wood jobber (producer) is primarily engaged in producing and delivering chemical bolts to the extent of at least 75% of his total volume of forest products, from an area already cut over for other forest products or from an area with such a poor stand of timber that it cannot be logged for sawtimber. Any logger may carry on both a logging job and a salvage operation for chemical bolts: *Provided*, That in any shipment of chemical bolts so salvaged, at least 75% of the bolts shipped are below the standards of merchantability defined under Appendix D—Lake States Area, Table 1, Hardwood Logs, No. 3 log grade.

This amendment shall become effective as of September 24, 1943.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of October 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-17144; Filed, October 21, 1943; 5:14 p. m.]

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

<sup>2</sup> 8 F.R. 3670, 5163, 5565, 6356, 8751, 9515, 10023, 11214, 12797, 13337.

## PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1C,<sup>1</sup> Amdt. 2]

## MILEAGE RATIONING: TIRE REGULATIONS FOR THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Ration Order 1C is amended in the following respects:

1. Section 2.1 (a) (9) is amended to read as follows:

(9) "Grade I", as applied to tires, means a new passenger type tire.

2. Section 2.1 (a) (10) is amended to read as follows:

(10) "Grade III", as applied to tires, means a used or recapped passenger type tire.

3. The text of section 4.7 (a) is amended by deleting the words "passenger type" preceding the word "tires".

4. Section 4.7 (e) is amended to read as follows:

-(e) *One allotment only.* The Director or Assistant Director shall grant only one allotment to an applicant under paragraph (b), one allotment under paragraph (c), one allotment under paragraph (d), and one allotment under paragraph (g) for each establishment for which such allotments are sought.

5. Section 4.7 (f) is amended by deleting the words "passenger type" preceding the word "tires".

6. A new paragraph (g) is added to section 4.7 to read as follows:

(g) *Amount of allotment of truck-type tires and tubes.* Application for an allotment of truck-type tires or tubes shall be made in writing to the Director or Assistant Director. Each applicant may be allotted a number of truck-type tires equal to thirty-five (35) per centum of the total number of truck-type tires sold by him during the calendar year 1941, but any applicant shall be entitled to at least six (6) truck-type tires: *Provided*, That a certificate shall be granted to authorize the acquisition of no more than the difference between such allotment and his inventory of truck-type tires (including Parts B of certificates authorizing the acquisition of truck-type tires which he received in exchange for truck-type tires but upon which he has not yet obtained replenishment) as of the date of his application. Each applicant authorized to acquire an allotment of truck-type tires may be granted a certificate authorizing him to acquire one truck-type tube (either new or used) for each truck-type tire that he has been authorized to acquire.

7. The table in section 5.3 (c) is amended to read as follows:

<sup>1</sup> 8 F.R. 10927, 12800.

Type of tire:	Maximum fee
Passenger car tires, each.....	\$0.50
½ ton truck tires, each.....	.50
Larger than ½ ton truck tires, each.....	1.00
Additional charge for removing inside dual truck tires, each.....	.50

8. In section 6.1 (a), the date "June 1, 1943" is changed to read "October 31, 1943."

9. Section 6.1 (b) is amended to read as follows:

(b) *Time of inspection.* The time for periodic inspection shall be as follows:

Type of coupons issued	First inspection must be made within period	Subsequent inspections
Class "A"....	October 18 to 23, 1943.	Within every 6-months period thereafter; i.e., on or before April 23 and October 23 of each year. Inspections must be at least 90 days apart.
Class "B"....	October 25 to 30, 1943.	Within every 4-month period thereafter; i.e., on or before February 28, June 30, October 30, of each year. Inspections must be at least 60 days apart.
Class "C"....	October 4 to 16, 1943.	Within every 3-month period thereafter; i.e., on or before January 16, April 16, July 16, October 16, of each year. Inspections must be made at least 45 days apart.

10. Section 6.3 is amended to read as follows:

SEC. 6.3 *Compensation to be paid for inspection.* An inspector may charge a fee not to exceed seventy-five cents (\$0.75) per vehicle for passenger automobiles and half (½) ton trucks, and one dollar (\$1.00) for larger trucks for the inspection required by sections 6.1 and 6.2. In addition, sums not in excess of those set forth in section 5.3 (c) may be paid the inspector or any other person for the service of removing and replacing a tire when such service is necessary for inspection purpose under said sections.

11. Section 7.6 (j) is amended to read as follows:

(j) *Transfer of recappable tire to recapper.* A dealer who is not a recapper may, without certificate, transfer a recappable tire carcass to a recapper, provided that such dealer obtains and retains as a record a proof of sale on OPA Form VIR 22 from the recapper to evidence such transfer.

12. Section 8.1 (n) is added to read as follows:

(n) *Discrimination by dealers.* Except as otherwise provided in this ration order, no dealer shall discriminate in the transfer of tires, tubes, or recapping service among any consumers lawfully entitled to acquire tires, tubes or recapping service under the provisions of this ration order by selling only to favored consumers or classes of consumers or only to regular customers, or by refusing to sell to others who are entitled to acquire tires, tubes, or recapping service under the provisions of this ration order.

13. Section 9.3 (c) is added to read as follows:

(c) Every manufacturer keeping a stock of tires or tubes upon premises located within the Virgin Islands pursuant to authorization of the Office of Price Administration, Washington, D. C., or the individual designated as his agent to be responsible for such stock of tires or tubes, shall at the end of each month surrender to the Director or Assistant Director, along with the monthly inventory report required by section 9.4, all replenishment portions (Parts B) of certificates received during the month for which such report is made.

14. Section 9.4 (b) is amended to read as follows:

(b) File a report on OPA Form VIR-17 in accordance with the instructions thereon, for the month ending October 31, 1943, and monthly thereafter, setting forth all unmounted tires and tubes in his possession or control on the last day of such month and all transfers of tires and tubes made during such month. Transfers permitted by section 7.6 (e) relating to transfers for repair, mounting or inspection need not be recorded hereunder. A separate report for each establishment where tires or tubes are located, whether such establishment is used for sale or storage, shall be filed with the Director or Assistant Director on or before the fifth day of the succeeding month.

15. In the title of section 9.6, the word "local" is changed to read "legal."

This amendment shall become effective October 1, 1943.

(Pub. Law 671, 76th Cong., 3d Sess., as amended by Pub. No. 89, 77th Cong., 1st Sess., and by Pub. No. 507, 77th Cong., 2d Sess., Pub. No. 421, 77th Cong., 2d Sess., Exec. Order 9125, 7 F.R. 2719, issued April 7, 1942, WPB Directive No. 1, issued January 24, 1942, Supp. Dir. No. 1-J as amended, issued October 27, 1942)

Issued this first day of October 1943.

JACOB A. ROBLES,  
Territorial Director,  
Virgin Islands.

Approved:

JAMES P. DAVIS,  
Regional Administrator.

[F. R. Doc. 43-17136; Filed, October 21, 1943; 5:13 p. m.]

#### PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[Rev. MPR 187]

##### CERTAIN PAPERBOARD PRODUCTS

Maximum Price Regulation No. 187<sup>1</sup> is redesignated as Revised Maximum Price Regulation No. 187 and it is revised and amended to read as follows:

A statement of the considerations involved in the issuance of this regulation

<sup>1</sup> 7 F.R. 5780, 8948, 9323, 10618, 8 F.R. 4180, 7281, 10656, 13256.

has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

§ 1347.401 *Maximum prices for sales of certain paperboard products.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Revised Maximum Price Regulation No. 187, Certain Paperboard Products, which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1347.401 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

#### REVISED MAXIMUM PRICE REGULATION NO. 187—CERTAIN PAPERBOARD PRODUCTS

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SECTION 1. *Prohibition against dealing in paperboard products above maximum prices.* The meaning of certain provisions and terms of this Revised Maximum Price Regulation No. 187 is further explained and defined in Section 11 of this Revised Maximum Price Regulation No. 187.

(a) This Revised Maximum Price Regulation No. 187 shall apply to the following described commodities whether partially or completely manufactured and/or services rendered by a manufacturer of such commodities.

Folding cartons, corrugated fibre sheets, corrugated fibre boxes, solid fibre sheets, solid fibre boxes, set-up boxes, pads, partitions and other paperboard products manufactured on the same converting equipment, rectangular set-up and flat Pure-Pak milk bottles, and wedge shaped pails formed on a Brightwood or similar type machine, but excluding milk bottle caps, book matches and other commodities covered by Maximum Price Regulation No. 129.

Bobbins, cans, canisters, cones, cores, ribbon blocks, roving cans, spindles, spools, tubes, cylindrical paperboard casings and cans and related hollow paperboard and paper commodities manufactured on an open-end rotating or stationary mandrel, of whatever size, shape, grade and specifications and having one or two open ends and/or one or two plugged or closed ends, and regardless of end-use.

Fibre drums and fibre pails of cylindrical or conical shape made on an open-end rotating or stationary mandrel or any other means, with a body of fibre board and ends of fibre board, steel or

\* Copies may be obtained from the Office of Price Administration.

wood, or any other material, or any combinations thereof.

(b) On and after November 1, 1943 regardless of any contract, agreement, lease or other obligation, no manufacturer shall sell or deliver any of the commodities described in paragraph (a) of this section, and no manufacturer shall sell or supply any services in connection with the manufacture of such commodities at prices higher than the maximum prices now or hereafter established by this Revised Maximum Price Regulation No. 187, and no person shall agree to do any of the foregoing.

(c) It is the general intent of this paragraph (c) to hold the prices of the commodities priced under this paragraph at the level of prices in effect during the period October 1-31, 1941, inclusive, by limiting the charges for raw material costs, conversion charges, margin and delivery as follows:

The manufacturer's maximum price for any given quantity of any commodity and/or service described in this section shall not exceed the sum of the following factors calculated for the quantity of the commodity and/or service being priced.

(i) *Raw material cost.* (i) In the case of a manufacturer not fully or partly owned or controlled by or financially connected with the raw material supplier, the raw material cost shall not exceed the delivered purchase price at which the raw materials are acquired by such manufacturer. If during the period October 1-31, 1941, inclusive, the manufacturer adopted or employed the practice of averaging his raw material costs, he shall continue such practice in the same manner.

(ii) In the case of a manufacturer fully or partly owned or controlled by, or financially connected with the raw material supplier, the raw material cost shall not exceed the transfer price of such raw material supplied to such manufacturer. The transfer price shall also reflect the same accounting methods, classifications, and quantity variations which the manufacturer employed during the period October 1-31, 1941, inclusive, in such transfers.

(iii) Furthermore, in no event shall the raw materials cost as computed in accordance with (c) (i) and (ii), exceed the ceiling price in effect on March 31, 1943, as established by the Office of Price Administration, for such raw materials.<sup>2</sup>

(iv) If the manufacturer in supplying any commodity and/or service covered by this Revised Maximum Price Regulation No. 187, substitutes raw materials of a higher cost than those regularly used by said manufacturer in the production of that type commodity and/or service covered by this Revised Maximum Price Regulation No. 187 during the period October 1, 1940 to October 31, 1941, inclusive, he shall absorb any increase in the total manufacturing cost of the finished commodity and/or serv-

ice resulting therefrom, except when such substitution is required by United States Government contracts, or allocated by order of the War Production Board, or certified to be necessary by the War Production Board. Such certification must be furnished to the Office of Price Administration in writing.

(v) The manufacturer shall continue to add the same percentage charge for waste in estimating prices and apply credits received from the sale or other disposition of waste material in the same manner in which such credits or charges were applied during the period October 1-31, 1941, inclusive.

(2) *Applicable conversion charges.*

(i) Charges for hand and/or machine operations incident to services or to the makeready, fabrication, assembly, marking and/or packing of commodities to be priced under this regulation shall not be computed in excess of the same hourly and/or piece rates and standards of production as were used to price the same services and/or commodities sold during the period October 1-31, 1941, inclusive.

(ii) The substitution of hand operations for machine operations shall not be used as a means to increase prices.

(iii) Conversion charges for services and/or commodities not sold during the period October 1-31, 1941, inclusive, but which are performed on, or fabricated by the manufacturers' same equipment and methods which were employed during the base period, shall not be in excess of the charges used to price the same or comparable services and/or commodities sold during such period.

(iv) Conversion charges for services and/or commodities not sold during the period October 1-31, 1941, inclusive, and which involve equipment and/or methods not used by the manufacturer during such period shall not be in excess of those conversion charges approved by the Office of Price Administration. Such conversion charges must be submitted to the Office of Price Administration at Washington, D. C., for approval or adjustment in the manner provided for in section 6 (c) of this Revised Maximum Price Regulation No. 187.

(3) *Margin.* Margin, as defined in section 11 of this Revised Maximum Price Regulation No. 187, shall be computed as follows:

- (i) On a percentage basis, or
- (ii) On a rate per unit of material, or
- (iii) On a combination of (i) and (ii), or

(iv) Included in the machine hour rate.

(v) A manufacturer may continue to figure the margin by the same accounting and costing practices which he had in effect during the period October 1-31, 1941, inclusive, or he may change these practices: *Provided*, That the change in practice of figuring margins does not result in a price higher than that which would have resulted from the practice of figuring margin during such base period. Furthermore, the margin shall not exceed the margin provided for in the following subdivisions (vi) to (ix), inclusive.

The following subdivisions (vi)-(ix), inclusive, provide the procedure to be

used in establishing margins under different conditions of sale.

The manufacturer must establish that each subdivision prior to the one used in establishing the margin for a given sale is not applicable.

(vi) *Where the same commodity and/or service to be priced had been contracted to be sold by the manufacturer to the same purchaser during the period October 1-31, 1941, inclusive.* The margin shall not exceed the margin employed in pricing the same commodity and/or service contracted to be sold to the same purchaser during the period October 1-31, 1941, inclusive.

*Same commodity* means the identical commodity. A change in color of ink or a change in printing copy shall not affect the sameness of the commodity.

Differentials for quantities or number of colors of ink, in effect during the period October 1-31, 1941, inclusive, shall apply.

(vii) *Where the same commodity and/or service had not been contracted to be sold by the manufacturer to the same purchaser during the period October 1-31, 1941, inclusive.* The margin shall not exceed the margin employed in pricing the most comparable commodity and/or service contracted to be sold to the same purchaser during the period October 1-31, 1941, inclusive.

"Most comparable commodity" is the commodity and/or service furnished by the same manufacturer and made on the same converting equipment sold to the same purchaser which differs the least from the commodity to be priced as determined by the use of the following tests: (a) style; (b) shape; (c) type of materials; (d) size; (e) addition or subtraction of parts or partitions. These tests must be applied successively and each is to be applied to the commodity or group of commodities determined by the application of the preceding test. A change in color of ink or a change in printing copy shall not affect the comparability of the commodity and/or service.

Differentials for quantities or number of colors of ink, in effect during the period October 1-31, 1941, inclusive, shall apply.

(viii) *Where a commodity and/or service had not been contracted to be sold by a manufacturer to a purchaser during the period October 1-31, 1941, inclusive.* The margin shall not exceed the margin employed in pricing the most comparable commodity and/or service contracted to be sold during the period October 1-31, 1941, inclusive, to the purchaser most closely resembling the prospective purchaser from the standpoint of (a) Quantity; (b) Credit classification; (c) Location.

*Most comparable commodity* is the commodity and/or service furnished by the same manufacturer and made on the same converting equipment sold to the purchaser most closely resembling the prospective purchaser which differs the least from the commodity to be priced as determined by the use of the following tests: (a) style; (b) shape; (c) type of materials; (d) size; (e) addition or sub-

<sup>2</sup> This subdivision shall remain in effect until January 1, 1944, unless the Office of Price Administration amends, replaces, extends or makes permanent such subdivision.

traction of parts or partitions. These tests must be applied successively and each is to be applied to the commodity or group of commodities determined by the application of the preceding test. A change in color of ink or a change in printing copy shall not affect the comparability of the commodity and/or service.

(ix) *Where the manufacturer was not engaged in the manufacture or sale of a commodity and/or service covered by this regulation during the period October 1-31, 1941, inclusive.* The manufacturer shall file an application for approval of margins with the Office of Price Administration, Washington, D. C., in the manner provided for in section 6 (c) of this Revised Maximum Price Regulation No. 187.

(4) *Charges for delivery.* Every manufacturer shall be required to continue to sell on a delivered price basis to such purchasers, zones or areas to which he customarily made shipments on a delivered price basis during the period October 1-31, 1941, inclusive.

(i) In the case of shipments to points within a free delivery zone or area within which no charge for delivery was added or would have been added by the manufacturer during the period October 1-31, 1941, inclusive, the manufacturer shall not add to the maximum price computed pursuant to the provisions of paragraph (c) (1), (c) (2), and (c) (3) of this section, any charge for delivery.

(ii) In the case of shipments to points, with the exception of shipments to points described in paragraph (c) (4) (i) of this section, for which the manufacturer added a charge for delivery, the manufacturer may add to the maximum prices computed pursuant to the provisions of paragraph (c) (1), (c) (2), and (c) (3) of this section, his customary and established delivery charge: *Provided*, That in no instance may the amount of the delivery charge so added exceed the highest charge for delivery actually obtained or which would have been obtained for an identical shipment to the same purchaser, zones or areas during the period October 1-31, 1941, inclusive, by the means of transportation customarily employed for shipments to such purchaser, zones or areas, during such period.

(iii) In cases where special shipments are required by a purchaser in order to fulfill, partly or completely, any government contract or subcontract, and the cost of such shipment exceeds the charges for delivery as computed pursuant to the provisions of paragraph (c) (4) (i) and (ii) of this section, and the purchaser agrees to such extra charge, the actual additional charge of such shipment may be added to the contract price.

SEC. 2. *Less than maximum prices.* Lower prices than those established by this Revised Maximum Price Regulation No. 187 may be charged, demanded, paid or offered.

SEC. 3. *Transfers of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after October 31,

1943, and the transferee carries on the business, or continues to deal in the same type of commodities and/or services in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records in accordance with Section 6 of this Revised Maximum Price Regulation No. 187, shall be the same. The transferor shall either preserve and make available, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this Revised Maximum Price Regulation No. 187.

SEC. 4. *Export sales.* The maximum price at which a person may export the commodities covered by this Revised Maximum Price Regulation No. 187, shall be determined in accordance with the provisions of the Second Revised Export Price Regulation, issued by the Office of Price Administration.

SEC. 5. *Federal and State taxes.* Any tax upon, or incident to, the sale or delivery of any commodity and/or service covered by Revised Maximum Price Regulation No. 187, imposed by any statute of the United States or statute or ordinance of any State or subdivision thereof, shall be treated as follows in determining the manufacturer's maximum price for such commodity and/or service and in preparing the records of such manufacturer with respect thereto: If the statute or ordinance imposing such tax does not prohibit the manufacturer from stating and collecting the tax separately from the purchase price, and the manufacturer does separately state it, the manufacturer may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the manufacturer by the vendor from whom he purchased: *Provided, however*, That the tax on the transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity and/or service covered by this Revised Maximum Price Regulation No. 187 be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated as a tax for which a charge may be made in addition to the maximum price.

SEC. 6. *Base period and other records.* Every manufacturer selling any commodity and/or service for which maximum prices are established by this Revised Maximum Price Regulation No. 187 shall:

(a) Preserve for examination by the Office of Price Administration for as long as the Emergency Price Control Act of 1942, as amended, remains in effect, all

his existing records relating to the prices which he charged for any commodity and/or service as he contracted to sell or supply at a definite price during the period October 1-31, 1941, inclusive.

(b) Within 21 days after November 1, 1943, the manufacturer shall file with the Office of Price Administration, Washington, D. C., the pricing formula including hourly and piece rates for hand and/or machine operations, or rates per thousand units and/or per thousand square feet of base material, used in estimating conversion charges, and a complete range of margins, as employed by the manufacturer during the period October 1-31, 1941, inclusive, in determining selling prices of any commodity and/or service sold during such period.

In the event the manufacturer has filed his pricing formula with the Office of Price Administration, it is not necessary for him to refile such formula.

(c) Rates for any machine and/or hand operations or margins which were not used in determining the selling prices of any commodity and/or service contracted to be sold or supplied at a definite price during the period October 1-31, 1941, inclusive, must be submitted to the Office of Price Administration, Washington, D. C., for approval or adjustment. The manufacturer who seeks such approval or adjustment shall file with the Office of Price Administration, Washington, D. C., an application setting forth the following information:

(1) *For hand and/or machine operations:*

(i) Performance speeds and description of each machine and/or hand operation.

(ii) Hour or piece rates prevailing during the period October 1-31, 1941, inclusive.

(iii) Statement of justification of any variance in rates used during the period October 1-31, 1941, inclusive, and those being applied for.

(2) *For margins:*

(i) Location of plant.

(ii) Type of equipment.

(iii) Capacity of equipment.

(iv) List of products to be made.

(v) Range of margins.

(vi) Complete statement of method used in determining special differentials.

(3) After October 31, 1943, and until the rates for such operations or margins are approved by the Office of Price Administration, all prices, quoted or charged, which have been based on such rates shall be subject to adjustment by the manufacturer. If such rates are adjusted by the Office of Price Administration, the prices based on such rates shall be adjusted by the manufacturer in accordance with such adjusted rates.

(4) Unless the Office of Price Administration or a duly authorized representative thereof shall, by letter mailed to the applicant within 21 days from the filing of such application approve, disapprove, adjust, amend, or extend the time within which to do any of the foregoing, such application shall be deemed to have been approved, subject to non-retroactive written disapproval or adjustment at any

later time by the Office of Price Administration.

(d) Every person selling commodities and/or services for which maximum prices are established by this Revised Maximum Price Regulation No. 187, shall keep, and make available for examination by the Office of Price Administration, records of the same kind as he has customarily kept relating to the prices which he charged for such of those commodities and/or services as he sold after October 31, 1943, and, in addition, records showing the basis upon which he estimated and determined the maximum prices for such commodities and/or services. He shall also preserve all records kept in accordance with Maximum Price Regulation No. 187.

**SEC. 7. Evasion.** The price limitations established by this Revised Maximum Price Regulation No. 187 shall not, directly or indirectly, be circumvented or evaded by modifying or discontinuing, or charging for or increasing the charge for, any commodity and/or service, or by altering any customary trade practice of the manufacturer, or by deteriorating the quality of any commodity without a corresponding reduction in material cost or by splitting orders, or by reducing the size of sales, or by refusing to accept a large order, or by any other means. No manufacturer shall impose any terms or conditions of sale, or alter any terms or conditions of sale imposed or agreed to by such manufacturer during the period October 1-31, 1941, inclusive, or customarily imposed or agreed to by such manufacturer in such a way as to increase the maximum price established by this Revised Maximum Price Regulation No. 187 for any commodity and/or service.

Nothing herein shall be construed to prevent the manufacturer from making changes in merchandising services to effect economies helpful to or made necessary by the war effort, such as elimination of or changes in the frequency of delivery or changes in the character of packaging and wrapping.

**SEC. 8. Enforcement.** (a) Persons violating any provisions of this Revised Maximum Price Regulation No. 187 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Revised Maximum Price Regulation No. 187 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field office, state office, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

(c) **Licensing.** The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more price schedules or regulations. A person whose license is suspended may not, dur-

ing the period of suspension, make any sale for which his license has been suspended.

**SEC. 9. Adjustable pricing.** Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purpose of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by letter or order.

**SEC. 10. Petition for amendment.** (a) Any person seeking an amendment of any provision of this Revised Maximum Price Regulation No. 187 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

**SEC. 11. Definitions and explanations.** (a) This Revised Maximum Price Regulation No. 187, and the terms appearing therein, unless the context otherwise requires, shall be construed as follows:

(1) "Applicable conversion charges" means charges covering the normal operations used in producing the commodity or supplying the service to be priced.

(2) "Assembly" means the putting together of component parts of commodities by such means as gluing, taping, covering, stitching, pasting and tying.

(3) "Commodities" includes commodities, articles and products.

(4) "Fabrication" means the manufacturing processes including but not limited to cutting, creasing, scoring, slotting, slitting, die cutting and assembling.

(5) "Hand and/or machine operations."

(i) "Hand operations" means the manufacturing processes, including but not limited to fabrication, assembly, marking and packing which require only the use of hand tools.

(ii) "Machine operations" means the manufacturing processes including but not limited to fabrication, assembly, marking and packing which require the use of mechanical devices.

(6) "Hourly and piece rates."

(i) "Hourly rates" means the highest cost per hour for labor, machine overhead, and other manufacturing expenses as established for estimating purposes during the period October 1-31, 1941, inclusive.

(ii) "Piece rates" means the highest cost per numerical unit for labor, machine, machine overhead and other manufacturing expenses as established for estimating purposes during the period October 1-31, 1941, inclusive.

(7) "Makeready" means the preparation of a machine for a particular conversion operation including such procedures as adjustment of feeding and receiving devices, installation of proper printing plates, cutting knives or creasing bars, and cleaning the machine after the completion of the conversion operation.

(8) "Manufacturer" includes any person who produces, from any raw materials, partially or completely, the commodities and/or supplies the services covered by this Revised Maximum Price Regulation No. 187, and includes the agents and representatives of such person. Each manufacturer's place of business set up basically to process partially or completely and sell the commodities and/or services covered by this Revised Maximum Price Regulation No. 187, shall be deemed to be a separate seller.

(9) "Margin" is the selling price F. O. B. shipping point minus the charges for raw material costs and applicable conversion charges. Margin may include such items as allowance for returned goods or bad credits, sales and administrative expense, general overhead, repairs, rent, fuel, light, power, insurance and profit.

(10) "Marking" includes printing, labeling, stamping and decorating.

(11) "Method or principle for applying conversion charges" means the established procedure or method used in estimating conversion costs.

(12) "Packing" includes packaging, wrapping and tying.

(13) "Percentage basis" means the percentage obtained by dividing the margin by the total of raw material costs and applicable conversion charges.

For example  
Selling price f. o. b. shipping point... \$105  
Total of raw material costs and applicable conversion charges..... 100  
Margin..... 5  
Percentage basis  $\frac{5}{100}$  = 5 percent

(14) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successors or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(15) "Rate per unit of base material" refers to the method adopted by the manufacturer in computing the margin on the basis of a square foot or an area. (For example \$.... per thousand square feet of corrugated or solid fibre board.)

(16) "Raw materials" means the materials which are fabricated into the commodities covered by this Revised Maximum Price Regulation No. 187, and all materials used in packing such commodities.

(17) "Records" includes without limitation, books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers, documents, letters and correspondence.

(18) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to

do any of the foregoing. The terms "sale," "selling," "sold," "buy," "purchase," and "purchaser," shall be construed accordingly. Nothing in this Revised Maximum Price Regulation No. 187 shall be construed to prohibit the making of a contract to sell a commodity and/or service at a price not to exceed the maximum price at the time of delivery or supply.

(19) "Contract to sell" means the written or oral acceptance of any written or oral order.

(20) "Selling price f. o. b. shipping point" means the actual sales price less any delivery charges included as part of the price.

(21) "Services" includes any service rendered, or supplied, otherwise than as an employee, in connection with the manufacture and processing of any of the commodities covered by this Revised Maximum Price Regulation No. 187, and generally, without limiting the foregoing, all services which preserve or add to the value or utility of such commodities.

(22) "Standards of production" means the number of units produced in relation to the machine speed or man-hours.

(b) Unless the text otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

SEC. 12. *Applicability.* The provisions of this Revised Maximum Price Regulation No. 187 shall be applicable to the forty-eight states of the United States and the District of Columbia, but shall not be applicable to the territories and possessions of the United States.

SEC. 13. *Discounts and allowances.* Every manufacturer shall continue to grant to persons buying the commodities and/or services covered by this Revised Maximum Price Regulation No. 187, discounts, allowances, and differentials (including those given for quantities) not less favorable to the purchaser than those generally in effect during the period October 1-31, 1941, inclusive.

#### APPENDIX A—USE OF PRICE LISTS

(a) Notwithstanding the previous section 1 (c) of this Revised Maximum Price Regulation No. 187, the manufacturer may establish his maximum price in accordance with the procedure stated herein for any commodity and/or service which is listed in section 1 (a) of this Revised Maximum Price Regulation No. 187, and which was sold during the period October 1-31, 1941, inclusive, at prices based upon a price list which was published or circulated to the trade or to the manufacturer's salesmen. Such maximum price shall be the price at which such commodities and/or services were offered for sale in such published or circulated price lists as were in effect for sales made during the period October 1-31, 1941, inclusive: *Provided*, (1) That if such price list is used by the manufacturer to establish his maximum price it must be used in its entirety and for all commodities and/or services listed on such price list; (2) that no price based upon such price list shall be charged unless and until duplicate copies of such price lists have been filed with the Office of Price Administration, Washington, D. C., and with the regional office nearest to the manufacturer's place of business; (3) that the prices established by such price list shall be subject to nonretroactive disapproval or adjustment, at any time, by

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letter of the Office of Price Administration; and (4) in the event that the manufacturer has filed his price lists with the Office of Price Administration, it is not necessary for him to refile such price lists.

This Revised Maximum Price Regulation No. 187 shall become effective November 1, 1943.

NOTE: The reporting provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 21st day of October 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-17140; Filed, October 21, 1943;  
5:11 p. m.]

#### PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 11,<sup>1</sup> Amdt. 85]

##### FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Ration Order No. 11 is amended in the following respects:

1. Section 1394.5001 (a) (15) is amended by deleting the phrase "except used lubricating oil, whether or not re-refined."

2. Section 1394.5656 is amended by substituting the words "two (2) years" for the words "one (1) year" in the last sentence.

3. Section 1394.5722 is amended by substituting the words "two (2) years" for the words "one year" each time they appear.

4. Section 1394.5732 is amended by designating the text thereof paragraph "(a)," and by substituting the words "two (2) years" for the words "one (1) year" in the last sentence.

5. Section 1394.5732 (b) is added as follows:

(b) Every applicant for registration must retain at his place of business for two (2) years from the date of his registration receipts, invoices and other records showing his fuel oil on hand at the time of registration, and he shall at all times keep at his place of business all records and equipment, including charts, tables, tank gauges, measuring tapes, rods or other devices, needed to determine the fuel on hand.

This amendment shall become effective October 21, 1943.

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 8480, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071, 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 608, 977, 1203, 1316, 1235, 1282, 1681, 1636, 1859, 2194, 2432, 2598, 2781, 2871, 2720, 2942, 2993, 2887, 3106, 3521, 3628, 3733, 3848, 3948, 4255, 4137, 4350, 4784, 4850, 5678, 6064, 6262, 6960, 7588, 6137, 9059, 9219, 9458, 9382, 10082, 10089, 10304, 10435, 11380, 11687, 11756, 11814, 12543, 12139, 12954, 12713, 13125, 13341.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Directive No. 1, 7 F.R. 562; Supp. Directive No. 1-O, as amended, 7 F.R. 8416; E.O. 9125, 7 F.R. 2719)

Issued this 21st day of October 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-17143; Filed, October 21, 1943;  
5:14 p. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,<sup>1</sup> Amdt. 72]

##### MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Ration Order 16 is amended in the following respects:

1. The words "fresh milk," are inserted after the words "fresh fish," in the first sentence of section 2.7 (a); in sections 2.7 (b) (2); 2.7 (b) (3); and in the third sentence of section 2.7 (d).

2. A comma is inserted after the word "poultry" in section 2.7 (b) (7) and the words "quarts of fresh milk," are added immediately following that inserted comma.

3. Sections 10.4 (a) and 10.5 (a) are amended by striking from the first sentence of each the following language:

"that transfers of farm butter may be made at the point values fixed under section 22.9 and"

4. Section 22.9 is revoked.

This amendment shall become effective October 26, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 21st day of October 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-17142; Filed, October 21, 1943;  
5:11 p. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,<sup>1</sup> Amdt. 73]

##### MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

<sup>1</sup> 8 F.R. 6446, 6614, 6620, 6687, 6840, 6960, 7115, 7268, 7281, 7455, 7492, 8357, 8540, 8614, 8844, 8869, 9014, 1025, 9217, 9305, 10432, 13128, 13394.

Ration Order 16 is amended in the following respects:

1. The first sentence of section 7.7 (a) (1) is amended by inserting between the word "food" and the word "he" the words "(other than canned milk) which".

2. The first sentence of section 7.7 (a) (2) is amended by inserting between the word "food" and the word "he" the words "(other than canned milk) which".

This amendment shall become effective October 26, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 21st day of October 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-17138; Filed, October 21, 1943;  
5:12 p. m.]

#### PART 1429—POULTRY AND EGGS

[MPR 333,<sup>1</sup> Amdt. 16]

##### EGGS AND EGG PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 333 is amended by adding § 1429.69 (f) (2) to read as follows:

(2) The maximum prices for "light dirty" shell eggs of the quality of Consumer Grade A or better, sold to the United States or any agency thereof, shall be 1 cent per dozen less than the maximum price at which the United States or any agency thereof may purchase Consumer Grade A eggs of the particular size and other identification.

This amendment shall become effective the 27th day of October 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of October 1943.

CHESTER BOWLES,  
Acting Administrator.

Approved: October 12, 1943.

MARVIN JONES,  
War Food Administrator.

[F. R. Doc. 43-17135; Filed, October 21, 1943;  
5:13 p. m.]

#### PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[Rev. MPR 346,<sup>2</sup> Amdt. 4]

##### CORN

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been

filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation No. 346 is amended to read as follows:

1. Section 11 (d) is amended to read as follows:

(d) Ear corn and snapped corn shall be the maximum price per bushel for a like sale of a like quality, grade and quantity of yellow or white corn, shelled, less 2.5¢ per bushel for ear corn and 3.5¢ per bushel for snapped corn.

2. Section 25 (a) is amended to read as follows:

(a) Notwithstanding any other provision of this regulation, any agency of the Federal Government may buy any corn paying therefor not more than the foregoing maximum prices subject to agreement with the seller to adjust said price by paying him in addition thereto not exceeding the difference between the amount so paid and any higher maximum price therefore which may be in effect at any time between the effective date of this regulation and December 31, 1943.

This amendment shall become effective October 27, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of October 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-17137; Filed, October 21, 1943;  
5:14 p. m.]

#### PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[Rev. MPR 169,<sup>1</sup> Amdt. 82]

##### BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation No. 169 is amended in the following respects:

1. Section 1364.452 (m) (4) is added to read as follows:

(4) Frozen boneless beef (hindquarters) (Army specifications). On and after October 21, 1943, regardless of any contract, agreement, or other obligation, no person shall sell or deliver frozen boneless beef (hindquarters) (Army specifications) to any purchasing agency of a war procurement agency at a price higher than the maximum prices permitted therefor in paragraph (m) (5) of this section.

2. Section 1364.452 (m) (5) is added to read as follows:

(5) The maximum f. o. b. boning plant price for frozen boneless beef (hindquarters)

(Army specifications) in each of the following price zones shall be:

[Carload or less than carload quantities; in dollars per hundredweight; frozen and packaged]

Price zone	Grades		
	Choice or AA	Good or A	Commercial or B
1.....	35.35	32.55	28.60
2.....	34.30	31.50	27.55
3.....	32.85	30.05	26.10
4.....	32.85	30.05	26.10
5.....	33.60	30.80	26.85
6.....	33.95	31.15	27.20
7.....	34.30	31.50	27.55
8.....	34.65	31.85	27.90
9.....	35.00	32.20	28.25
10.....	35.35	32.55	28.60

3. Section 1364.452 (m) (6) is added to read as follows:

(6) "Frozen boneless beef (hindquarters) (Army specifications)" as used in this paragraph (m) means hindquarters of beef, frozen and boneless, derived from steers and heifers of the grades choice, good or commercial and satisfying the specifications and requirements contained in "C. Q. D. No. 11 C—Specifications for Beef: Boneless, Frozen", issued May 11, 1942, by the Chicago Quartermaster Depot of the United States Army. Any frozen boneless beef (hindquarters) which has been rejected by the purchasing agency of a war procurement agency shall not be sold as frozen boneless beef (Army specifications).

This amendment shall become effective October 21, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of October 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-17139; Filed, October 21, 1943;  
5:12 p. m.]

#### PART 1420—BREWERY, DISTILLERY AND WINERY PRODUCTS

[MPR 445,<sup>1</sup> Amdt. 6]

##### DISTILLED SPIRITS AND WINE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Section 4.12 of Maximum Price Regulation No. 445 is amended to read as follows:

SEC. 4.12 Dates on which this article shall apply. This article shall apply to all sales and offers to sell and deliveries of bulk or packaged California grape wine and related products for which maximum prices are established or provided for therein, made on and after, but not before, October 22, 1943 by any seller subject thereto; except that

(a) This article shall not apply to deliveries made on or before October 31, 1943 pursuant to sales or contracts to sell made prior to October 1, 1943; and

<sup>1</sup> 8 F.R. 11161, 11851, 13496, 13500, 13845, 14016.

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 2488, 3002, 3070, 3735, 5342, 5839, 6182, 6476, 6626, 7457, 9027, 9300, 9879, 9300, 11381, 12095, 12478, 12632.

<sup>2</sup> 8 F.R. 4924, 7354, 8186, 9300.

<sup>1</sup> 8 F.R. 4097, 4787, 4844, 5170, 5478, 5634, 6058, 6427, 7109, 6945, 7199, 7200, 8011, 8677, 8756, 9066, 9300, 9995, 10363, 10671, 11298, 11445, 12748, 13249, 13181, 14009.

(b) This article shall not apply to any sale which the seller is required by statute, ordinance or regulation to make at a price posted or listed prior to October 7, 1943 with a state or other public authority (if the price so posted or listed is greater or less than that established under this article for such sale) until on and after the first effective date for prices so posted or listed at the first opportunity after October 12, 1943; and

(c) As to a brand, type and kind of bulk or packaged non-current California grape wine for which a processor is permitted by section 4.8 to apply for authority to establish a special maximum price, if the processor gives notice of intention to file such application to the Office of Price Administration, Beverage Section, Washington, D. C., on or before October 22, 1943, and such application is filed in accordance with section 4.9 on or before November 10, 1943, this article shall not apply to the processor's sales, offers to sell or deliveries of such bulk or packaged non-current wine made prior to November 22, 1943 or to sales of that wine which the seller is required by statute, ordinance or regulation to make at a price posted or listed prior to November 22, 1943 with a state or other public authority (if the price so posted or listed is greater or less than that established under this article for such sale) until on and after the first effective date for prices so posted or listed at the first opportunity after November 21, 1943.

This amendment shall become effective October 21, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of October 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-17141; Filed, October 21, 1943;  
5:11 p. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

#### Subchapter A—General Rules and Regulations [No. 3666]

#### PARTS 73, 75, 80, 81, 85—TRANSPORTATION OF EXPLOSIVES<sup>1</sup>

##### MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of October, A. D. 1943.

Order in the matter of regulations for transportation of explosives and other dangerous articles.

It appearing that pursuant to section 233 of the Transportation of Explosives

<sup>1</sup> Parts 2, 3, 4, 5, and 7 in this order appear in CFR as Parts 73, 75, 80, 81, and 85.

Act approved March 4, 1921, (41 Stat. 1445), and Part II of the Interstate Commerce Act, the Commission has formulated and published certain regulations for transportation of explosives and other dangerous articles;

It further appearing, that in applications received we are asked to amend the aforesaid regulations as set forth in provisions made part hereof;

And it further appearing, that amendments involved in said applications, having been considered and found to be in accord with the best-known practicable means for securing safety in transit and

with the need therefor for promoting safety of operation and standards of equipment used in the transportation of said dangerous articles:

It is ordered, That the aforesaid regulations for transportation of explosives and other dangerous articles be, and they are hereby, amended as follows:

#### Part 2—List of Explosives and Other Dangerous Articles

Superseding and amending list, section 4, order Aug. 16, 1940, as amended, as follows:

Article	Classed as—	Exemptions and packing (sec.)	Label	Maximum quantity, express
(Change) Bombs, explosive, with gas, smoke, or incendiary material, <i>See</i> Explosive bomb.				
(Add) Bombs, incendiary, <i>See</i> Fireworks.				
(Add) Hand grenades, class B explosive, <i>See</i> Fireworks.				
(Add) Fluorine	Noninf. G.	302, 303.	Green.	6 pounds.
(Change) Smokeless powder for small arms in quantity not exceeding 50 pounds.	Expl. B.	No exemption, 65.		10 pounds.
(Add) Smokeless powder for small arms in quantity exceeding 50 pounds.	Expl. A.	No exemption, 65.		10 pounds.
(Add) Thionyl chloride.	Cor. L.	No exemption, 247.	White.	1 gallon.

#### Part 3—Regulations Applying to Shippers

Amending paragraph (a), section 28, order Aug. 16, 1940, as follows (reused containers) (add):

NOTE: Because of the present emergency and until further order of the Commission, metal drums not marked to indicate compliance with an I.C.C. specification but otherwise meeting the requirements of containers authorized may be approved by the Bureau of Explosives for service and appropriate specification marking. Application for such approval must include description of container and details of closure, and be made to the Bureau of Explosives, 30 Vesey Street, New York 7, N. Y.

Superseding and amending section 30, order Aug. 16, 1940, to read as follows:

30 *Loading and placarding of cars by shippers.* When shipments of explosives or other dangerous articles are loaded into cars by shippers, the applicable provisions of Part 4 must be complied with. See section 533 for loading and storage chart.

Superseding and amending paragraph (b) (2), section 31, order Aug. 16, 1940, to read as follows (qualification, maintenance and use of tank cars and tank motor vehicles):

(2) For repairs to forge-welded tanks of ICC-105A series, or fusion-welded tanks of ICC-W classes, or equipment therefor, requiring welding, the owner of the tank, or party authorized by the owner, must secure approval of such repairs from the Association of American Railroads' committee on tank cars. Fusion welds for repairs must be performed, inspected, and tested in the manner described by currently effective specification for the class of tank concerned. X-raying and stress relieving are required and must be done in an approved manner. Caulking of welded joints is prohibited. Tank must be re-

tested, as prescribed in section 31 (f), before being returned to service.

For repairs to forge-welded tanks of ICC-105A series, or fusion-welded tanks of ICC-W classes involving hot or cold working of the shell to restore contours as near as practicable to original design and construction, the owner of the tank, or party authorized by the owner, must render a detailed report of such repairs to the secretary, mechanical division, Association of American Railroads.

Superseding and amending paragraph (a), section 65, order Aug. 16, 1940, to read as follows (smokeless powder):

(a) Smokeless powders are propellant explosives from which there is little or no smoke when fired. They include smokeless powder for cannon and smokeless powder for small arms. Smokeless powder for cannon used in the United States at the present time consists of a nitrocellulose colloid and is comparatively safe to handle and transport. Smokeless powder for small arms may consist of nitrocellulose or nitrocellulose combined with nitroglycerin. So-called smokeless powders which are composed of picrate or chlorate mixtures are classed as high explosives. Smokeless powder for small arms in quantities exceeding 50 pounds must be shipped as high explosives. (Note to paragraph not canceled.)

Amending paragraph (f), section 109, order Aug. 16, 1940, as follows (packing ethylene oxide) (add):

NOTE: Because of the present emergency and until further order of the Commission, specification ARA-IV and ICC-104 tank cars, converted as follows, are authorized for use:

Tank must be tested to 75 pounds per square inch hydrostatic pressure and show no leakage with lagging removed.

Bottom discharge outlet must be removed, the opening closed with a riveted plate, and a sump applied.

Safety valves must be removed and replaced by two safety valves of the type and size used on ICC-104A tank cars but set to open at 60 pounds per square inch instead of 75 pounds.

The various approved dome fittings now required on ICC-104A tank cars must be installed in an approved manner to provide for the loading, unloading, gaging, sampling, and taking of temperature of contents without removing the manhole closure.

Tank jacket must be stenciled immediately above the mark ARA-IV or ICC-104 with the words: "For ethylene oxide only."

Amending paragraph (b), section 118, order Aug. 16, 1940, as follows (packing spirits of nitroglycerin) (add):

NOTE: Because of the present emergency and until further order of the Commission, spirits of nitroglycerin, consisting of not over 10 percent by weight of nitroglycerin in ethyl alcohol, may be shipped in glass bottles not over 2 quarts capacity, securely closed with rubber stoppers tied in place. Each inside container must be entirely surrounded by at least 2 inches of dry fine sawdust or kieselguhr. There must be not over 8 quarts of the mixture in each outside container.

Superseding and amending paragraph (a) (6), section 162, order Aug. 16, 1940, to read as follows (packing charcoal):

(6) Charcoal made from walnut shells, corn cobs, peach pits, and similar material, must be cooled and held not less than five days before shipment, and shipped in bags, barrels, or boxes.

Amending paragraph (e), section 177, order Aug. 16, 1940, as follows (packing motion-picture film (nitrocellulose base) (exposed)) (add):

NOTE: Because of the present emergency and until further order of the Commission, containers authorized under sec. 180 (c) may be reused provided original shipment consisted of unexposed motion picture film in carload or truckload quantities and that boxes were crated and had closing flaps held in place by paper tape.

Amending paragraph (a), section 186, order Aug. 16, 1940, as follows (packing paper waste, wet) (add):

NOTE: Because of the present emergency and until further order of the Commission, paper waste, wet, free from oil or other foreign matter liable to cause spontaneous ignition may be shipped in bales.

Superseding and amending paragraph (g), section 241, order Nov. 8, 1941, to read as follows (packing-outage corrosive liquids):

(g) No cargo tank or compartment thereof used for the transportation of any corrosive liquid shall be completely filled; sufficient space, not to exceed 2 per cent, shall be left vacant in every case.

Amending section 245, order Aug. 16, 1940, as follows (no exemption from regulations) (add):

(p) Thionyl chloride.

Superseding and amending paragraph (a), section 247, order Aug. 16, 1940, to read as follows (packing acetyl chloride, etc.):

(a) Acetyl chloride, antimony pentachloride, benzoyl chloride, benzyl chloride, pyro sulfur chloride, silicon chloride, sulfur chloride (mono and di) thionyl chloride, tin tetrachloride (an-

hydrous), and titanium tetrachloride, must, except as indicated, be packed in specification containers as follows:

Amending section 264, orders Aug. 16, 1940, and Feb. 26, 1942, as follows (packing hydrofluoric acid, anhydrous):

Add to (c) (3):

NOTE: Because of the present emergency and until further order of the Commission, spec. 105A300 tank cars, subject to the above requirements, are also authorized.

Add to (c):

(5) Because of the present emergency and until further order of the Commission, samples of anhydrous hydrofluoric acid for laboratory examination are authorized for transportation by rail freight, rail express, or highway, when packed in aluminum cylinders, net capacity not exceeding 100 c. c., tested hydrostatically to 500 pounds per square inch and retested quinquennially, and shipped in strong wooden boxes. The cylinders must be cushioned so as to give proper protection to their valves. Filling density must not exceed 80 per cent of the water-weight capacity of the cylinder.

Superseding and amending section 303, orders Aug. 16, 1940, and June 30, 1943, as follows (packing compressed gases) (change or add):

(e) *Weight limits.* Cylinders purchased after Nov. 1, 1935, and charged with chlorine must not contain over 150 pounds of gas. Cylinders charged with fluorine must not contain over 6 pounds of gas. Cylinders charged with other gases must not contain over 300 pounds of gas.

(k) (1) Because of the present emergency and until further order of the Commission, fluorine must be shipped in metal cylinders complying with spec. 3BN400, equipped with valve protection caps and subject to section 303 (e) and 303 (p) (7) (e).

(p) (7) (e) Cylinders containing less than 165 pounds of anhydrous ammonia, or mono, di, or trimethylamine. Cylinders containing not over 6 pounds of fluorine.

(q) (1) Addendum to Note 3. Because of the present emergency and until further order of the Commission, and only for shipments made during the months of November to March, inclusive, the following filling densities may be used in lieu of those specified in the Table, Note 3, as amended:

#### Part 4—Regulations Applying Particularly to Carriers by Rail Freight

Superseding and amending paragraphs (a) and (b), section 526, orders Aug. 16, 1940, and Dec. 30, 1942, to read as follows (loading in car):

(a) Except as provided herein, boxes of dangerous explosives, class A, named in secs. 52 to 62, not including ammunition for cannon with projectiles, explosive projectiles, explosive mines and explosive bombs, when loaded in the car, must rest on their bottoms, and must be loaded with their long dimension parallel to the length of the car.

(b) Boxes of high explosives, low explosives, or black powder, packed in long

cartridges, bags, or siftproof liners, and containing no liquid explosive ingredient, may be loaded on their sides or ends, but not so that the end of a box will cause a high pressure on a small area of another box.

Superseding and amending paragraph (g) (4), section 532, order Aug. 16, 1940, to read as follows (loading matches):

(4) Carload or less-than-carload lots of "strike-anywhere" matches which have been damaged by fire, or by water in extinguishing a fire, in transit or on carrier's property, must be reloaded in properly prepared cars, and braced or blocked before being forwarded to destination, to freight claim department or claim adjusters, or to original shipper or other parties for salvage. Great care should be taken to examine and repair damaged outside packages before reloading into car. All loose matches should first be destroyed. Individual interior boxes and paper-wrapped cartons or packages, should then be carefully placed in tight outside packages complying, as nearly as circumstances will permit, with container specifications; but under no condition shall the outside package be of less strength than required by spec. 15A or 12C, nor of greater capacity than authorized. Charred cases must not be used. Boards used in repairing wooden cases must be so nailed that they will not allow any interior boxes, cartons, or packages to fall out. In the event that the individual boxes or paper-wrapped packages do not fit snugly in the outside package, the vacant spaces should be filled tightly with dry and clean cotton waste, or elastic wads of dry newspapers or dry waste paper.

Superseding and amending paragraph (e), section 541, order Feb. 26, 1942, to read as follows (placards on cars):

(e) Cars containing shipments of less dangerous explosives, class B. See section 540 for placarding cars containing shipments of smokeless powder for small arms in quantity exceeding 50 pounds.

NOTE: For cars also requiring the poison gas placard, see section 542.

Superseding and amending paragraph 4 of placard, section 549, order Oct. 28, 1942, to read as follows (placard for dangerous explosives, class A):

4. This car must not be placed next to dead engines, placarded loaded tank cars, wooden-frame flat or gondola cars, carloads of pipe, lumber, poles, iron, steel, or similar lading in open-top cars which may shift and break through end of this car from rough handling; nor next to refrigerator cars equipped with gas-burning automatic refrigeration; nor next to cars containing lighted heaters, stoves, or lanterns; nor next to cars with live stock or poultry occupied by an attendant.

Amending section 565, order Aug. 16, 1940, as follows (delivery of shipments of explosives) (add):

NOTE: The seller of any explosives must have a vendor's license issued by an authorized representative of the Director of the Bureau of Mines, Department of Interior, Washington, D. C.

**Part 5—Regulations Applying to Carriers  
by Rail Express**

Amending section 655, order Nov. 8, 1941, as follows (handling packages) (add):

(i) Unless they are leaking, or in a manifestly insecure condition, packages of dangerous articles other than explosives in transit must be forwarded to destination and report made of any violation observed. Leaking packages must not be forwarded until repaired or reconditioned.

**Part 7—Regulations Applying to Shipments Made by Way of Common or Contract Carriers by Public Highway**

Superseding and amending paragraph (b) (7), section 824, order Nov. 8, 1941, to read as follows (loading and unloading—explosives):

(b) (7) *Blasting caps or electric blasting caps in same vehicle with other explosives.* Blasting caps and electric blasting caps may be transported in the same motor vehicle with high explosives, as follows: The explosives must be packed in authorized I.C.C. specification outside shipping containers, or in prescribed inside I.C.C. packages in an outside box made of 1 inch lumber lined with suitable padding material not less than ½ inch thick or a box made of not less than 12 gage sheet metal lined with plywood or other suitable material not less than ¾ inch thick so that no metal is exposed. Hinged cover and fastening device are required on boxes. These boxes must be loaded in motor vehicle so that contents or box will be immediately accessible for removal. Blasting caps or electric blasting caps, when not packed in containers referred to above in this paragraph, must be transported in containers as prescribed in spec. MC201. See sec. 824 (b) (13) for shipment of blasting caps with liquid nitroglycerin.

Explosive projectiles with detonating fuzes assembled in place must not be transported unless shipped by, for, or to the War or Navy Department of the United States Government, or unless of a type approved by the Bureau of Explosives.

*It is further ordered,* That this order amending the aforesaid regulations shall be effective on and after October 14, 1943, and shall remain in full force and effect and be observed until further order of the Commission;

*And it is further ordered,* That a copy of this order be served upon all the parties of record herein; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 233, 41 Stat. 1445, sec. 204, 49 Stat. 546, sec. 4, 52 Stat. 1232, sec. 20, 54 Stat. 922, 56 Stat. 176; 18 U.S.C. 383, 49 U.S.C. 304)

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 43-17077; Filed, October 20, 1943; 2:32 p. m.]

**Notices**

**DEPARTMENT OF THE INTERIOR.**

**Bureau of Reclamation.**

**PAINTROCK PROJECT, WYOMING**

**FIRST FORM RECLAMATION WITHDRAWAL**

JULY 17, 1943.

**The SECRETARY OF THE INTERIOR.**

SIR: In accordance with the authority vested in you by the Act of June 28, 1934 (48 Stat. 1269) as amended, it is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal, as provided in section 10, Act of October 14, 1940 (54 Stat. 1119), and that departmental order of March 23, 1935, including the said lands in Wyoming Grazing District No. 1, be modified and made subject to the withdrawal effected by this order.

**PAINTROCK PROJECT, WYOMING**

**SIXTH PRINCIPAL MERIDIAN**

T. 49 N., R. 91 W.,  
Sec. 2, lots 9, 10, 11, and NE¼SW¼;  
Sec. 3, lots 5, 6, 12, 13, and S½NE¼;  
Sec. 11, lots 1, 2, 3, and N½NE¼;  
Sec. 12, lots 4 and 5;  
Sec. 13, lots 2, 3, 4, 7, and 8.  
T. 50 N., R. 91 W.,  
Sec. 28, SW¼;  
Sec. 29, S½;  
Sec. 30, lots 3, 4, E½SW¼, and SE¼;  
Sec. 32, Tr. 75 B, 75 C, and 75 D;  
Sec. 33, Tr. 77 A, 77 B, 77 C, 77 D, 77 E, and 77 F;  
Sec. 34, Tr. 79 E, 79 F, and 79 K, 79 L, 79 O, 79 P, and 79 Q;  
Sec. 35, Tr. 80 T.  
T. 50 N., R. 92 W.,  
Sec. 19, lot 7, E½, and E½SW¼;  
Sec. 20, SW¼ and S½SE¼;  
Sec. 25, NW¼, N½SW¼, and SE¼;  
Sec. 26;  
Sec. 27, NE¼ and W½;  
Sec. 28, N½N½, SE¼NE¼, and SE¼;  
Sec. 29, N½NE¼, SW¼NE¼, NW¼, NW¼SW¼, SE¼SW¼, and SE¼;  
Sec. 30, NE¼, E½NW¼, and NE¼SE¼.

Respectfully,

H. W. BASHORE,  
Acting Commissioner.

I concur: September 18, 1943.

J. H. LEECH,  
Director of the Grazing Service.

I concur: October 7, 1943.

FRED W. JOHNSON,  
Commissioner of the  
General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

MICHAEL W. STRAUS,  
First Assistant Secretary.

OCTOBER 15, 1943.

[F. R. Doc. 43-17163; Filed, October 22, 1943; 11:04 a. m.]

**DEPARTMENT OF LABOR.**

**Children's Bureau.**

**EMPLOYMENT OF MINORS IN POULTRY  
DRESSING ESTABLISHMENTS**

**NOTICE OF HEARING**

Notice of hearing on proposed amendment to Child Labor Regulation No. 3 issued under the Fair Labor Standards Act of 1938.

Whereas, the employment of minors under the age of 16 years in any occupation constitutes oppressive child labor within the meaning of section 3 (1) of the Fair Labor Standards Act of 1938, excepting that the Chief of the Children's Bureau may provide by regulation or order that the employment of minors between the ages of 14 and 16 years in occupations other than manufacturing and mining shall not be deemed to constitute oppressive child labor, if and to the extent that he has determined that such employment is confined to periods which will not interfere with their schooling or with their health or well-being, and

Whereas, the Chief of the Children's Bureau, pursuant to section 3 (1) of the Act, issued Child Labor Regulation No. 3 (4 F.R. 1983, Code of Federal Regulations 1939 Supp., Ti. 29, Ch. IV, Part 441), effective May 24, 1939, providing that the employment of minors between the ages of 14 and 16 years in certain occupations under specified conditions shall not be deemed to constitute oppressive child labor but excluding from such occupations manufacturing, mining, or processing occupations, including occupations requiring the performance of any duties in workrooms or work places where goods are manufactured, mined or otherwise processed, and

Whereas, a petition has been received from operators of establishments engaged in the handling, slaughtering, and dressing of poultry located in the State of Texas, requesting authority to employ minors under 16 years of age in the picking of poultry, a processing occupation outside the scope of Child Labor Regulation No. 3, and

Whereas, the question raised by the said petition appears to be a question of general interest to operators of establishments engaged in the handling, slaughtering, and dressing of poultry in other localities, and

Whereas, the Chief of the Children's Bureau is of the opinion that it is desirable to hold a public hearing on the question whether Child Labor Regulation No. 3 should be amended to provide that the employment of minors between the ages of 14 and 16 years in the picking of poultry in poultry handling, slaughtering, and dressing establishments shall not be deemed to constitute oppressive child labor.

Now, therefore, Notice is hereby given that:

A public hearing will be held at 10 a. m. Wednesday, November 3, 1943, in Room 7129, Department of Labor Building, Fourteenth Street and Constitution Avenue, Washington, D. C., before Julius Schlezinger or any other presiding officer designated by me for the purpose

of taking testimony on the following questions:

1. In what occupations, if any, is the employment in poultry handling, slaughtering, and dressing establishments of minors between the ages of 14 and 16 years in the handling, slaughtering, or dressing of poultry necessary for the war effort, and

2. If such employment of minors between the ages of 14 and 16 years is found to be necessary for the war effort, what safeguards should be established to protect their schooling and their health and well-being?

II. Any interested person may appear at the hearing to offer evidence either on his own behalf or on behalf of any other person if, not later than November 1, 1943, he files with the Chief of the Children's Bureau, by mail or otherwise, at the office of the Chief of the Children's Bureau, United States Department of Labor, Washington, D. C., a notice of his intent to appear, which shall contain the following information:

1. The name and address of the person appearing;

2. If such person is appearing in a representative capacity, the name and address of the person or persons he is representing.

III. Any interested person may secure further information concerning the aforesaid hearing by inquiry directed to the Chief of the Children's Bureau, United States Department of Labor, Washington, D. C.

IV. The hearing will be conducted in accordance with the following rules of procedure subject to such subsequent modification by the Chief of the Children's Bureau or the presiding officer as may be deemed appropriate:

1. The hearing shall be stenographically reported and a transcript made which shall be available at prescribed rates to any person upon request made to the official reporter of the Children's Bureau, United States Department of Labor, Washington, D. C.

2. At the discretion of the presiding officer, the hearing will be continued from day to day or adjourned to a later day or to a different place by announcement thereof at the hearing by the presiding officer or by other appropriate notice.

3. At any stage of the hearing, the presiding officer may call for further evidence upon any matter. After the presiding officer has closed the hearing before him, no further evidence shall be taken except at the request of the Chief of the Children's Bureau unless provision has been made at the hearing for the later receipt of such evidence.

V. On the close of the hearing, the presiding officer shall forthwith file a complete record of the proceedings with the Chief of the Children's Bureau.

VI. No amendment to Child Labor Regulation No. 3 issued as a result of the hearing will take effect until after due notice is given of the issuance thereof by publication in the FEDERAL REGISTER.

Signed at Washington, D. C. this 21st day of October 1943.

KATHARINE F. LENROOT,  
Chief.

[F. R. Doc. 43-17155; Filed, October 22, 1943;  
10:48 a. m.]

# DETERMINATION OF PREVAILING MINIMUM WAGES IN CANE SUGAR REFINING AND BEET SUGAR MANUFACTURING INDUSTRIES

## NOTICE OF OPPORTUNITY TO SHOW CAUSE

Pursuant to section 1 (b) of the Act of June 30, 1936 (49 Stat. 2036, 41 U.S.C., Sup. III, 35), otherwise known as the Walsh-Healey Public Contracts Act, a public hearing was held on April 7, 1942, before the Public Contracts Board (created in accordance with section 4 of said Act by Administrative Order dated October 6, 1936), in the matter of the determination of the prevailing minimum wages in the Cane Sugar Refining and Beet Sugar Manufacturing Industries. Notice of the hearing, dated March 19, 1942, was sent to all parties known to be interested. The hearing was attended by representatives of the industries and of organized labor.

The Cane Sugar Refining and Beet Sugar Manufacturing Industries have been defined as follows:

1. The Cane Sugar Refining Industry is that industry which is engaged in the refining of raw cane sugar.

2. The Beet Sugar Manufacturing Industry is that industry which is engaged in the manufacture of sugar from sugar beets.

On the basis of the evidence and briefs submitted at the hearing, the Board, in its report dated June 15, 1942, made the following recommendations:

1. That separate minimum wage rates should be determined for the Cane Sugar Refining Industry and the Beet Sugar Manufacturing Industry.

2. That in accordance with existing practices and conditions in the Cane Sugar Refining Industry, the minimum wages for that industry should be:

For refineries in the State of California: 79 cents an hour;

For refineries in the Boston area: 70 cents an hour;

For refineries in the New York harbor area, including New Jersey: 77½ cents an hour;

For refineries in the Philadelphia area: 68 cents an hour;

For refineries in the Savannah, southern Louisiana, and Texas area: 47½ cents an hour;

For refineries in the area comprised of the States of Indiana, Illinois, and Wisconsin: 52½ cents an hour; and

For refineries that may be located, either now or hereafter, elsewhere in the United States, the hourly minimum hereby recommended for the nearest area above described to their individual locations;

with tolerances for auxiliary workers not to exceed 10 percent of the total number of production employees of any one refinery, as follows:

For refineries in the State of California: 63 cents an hour;

For refineries in the Boston area: 53 cents an hour;

For refineries in the New York harbor area, including New Jersey: 56½ cents an hour;

For refineries in the Philadelphia area: 53 cents an hour;

For refineries in the Savannah, southern Louisiana, and Texas areas: 40 cents an hour;

For refineries in the area comprised of the States of Indiana, Illinois, and Wisconsin: 45 cents an hour; and

For refineries that may be located, either now or hereafter, elsewhere in the United States, the hourly minimum for auxiliary workers hereby recommended for the nearest area above described to their individual locations;

and with further tolerances for beginners in accord with the "service differential" provided for in union wage agreements of 5 cents an hour less than the determined minimum wage applicable to a refinery for the first month of employment and of 2½ cents an hour less than the determined minimum wage applicable to the refinery for the second month of employment.

3. That the minimum wages for the Beet Sugar Manufacturing Industry should be:

52½ cents an hour for the States of Ohio, Indiana, Illinois, Michigan, Wisconsin, Kansas, Iowa, and Minnesota;

69 cents an hour for the States of Colorado, Nebraska, Utah, Idaho, South Dakota, Wyoming, Montana, Oregon, and Washington;

71½ cents an hour for the State of California;

For any beet sugar factory which may now or hereafter be located in any area not included in one of the States named above, the minimum rate applicable to its nearest competing beet sugar factory.

Subsequent to the issuance of the Board's report, there has been presented to the Secretary evidence tending to show that the minimum wages recommended by the Board for the Cane Sugar Refining Industry are no longer the prevailing minimum wages for this industry. On the basis of all the evidence now presented, the Secretary now proposes to find that the prevailing minimum wages in the Cane Sugar Refining Industry are:

For refineries in the State of California: 79 cents an hour;

For refineries in the Boston area: 75½ cents an hour;

For refineries in the New York harbor area, including New Jersey: 81 cents an hour;

For refineries in the Philadelphia area: 73 cents an hour;

For refineries in the Baltimore area: 63 cents an hour;

For refineries in the Savannah, southern Louisiana, and Texas areas: 47½ cents an hour;

For refineries in the area comprised of the States of Indiana, Illinois, and Wisconsin: 52½ cents an hour; and

For refineries that may be located, either now or hereafter, elsewhere in the United States, the hourly minimum hereby recommended for the nearest area above described to their individual locations;

with tolerances for beginners in non-auxiliary occupations of 5 cents an hour less than the determined minimum wage applicable to a refinery for the first month of employment and of 2½ cents an hour less than the determined minimum wage applicable to the refinery for the second month of employment; and with further tolerances for auxiliary

workers not to exceed 10 percent of the total number of production employees of any one refinery, as follows:

For refineries in the State of California: 63 cents an hour;

For refineries in the Boston area: 58½ cents an hour;

For refineries in the New York harbor area, including New Jersey: 60 cents an hour;

For refineries in the Philadelphia area: 58 cents an hour;

For refineries in the Baltimore area: 53 cents an hour;

For refineries in the Savannah, southern Louisiana and Texas areas: 40 cents an hour;

For refineries in the area comprised of the States of Indiana, Illinois and Wisconsin: 45 cents an hour; and

For refineries that may be located, either now or hereafter, elsewhere in the United States, the hourly minimum hereby recommended for the nearest area above described to their individual locations.

Auxiliary workers are defined as those workers engaged in the wrapping of sugar tablets and the packaging of small packages of sugar.

The Secretary further proposes to find that the minimum wages in the Beet Sugar Manufacturing Industry are, in accordance with those recommended in the report of the Public Contracts Board:

52½ cents an hour for the States of Ohio, Indiana, Illinois, Michigan, Wisconsin, Kansas, Iowa, and Minnesota;

69 cents an hour for the States of Colorado, Nebraska, Utah, Idaho, South Dakota, Wyoming, Montana, Oregon, and Washington;

71½ cents an hour for the State of California;

For any beet sugar factory which may now or hereafter be located in any area not included in one of the States named above, the minimum rate applicable to its nearest competitive beet sugar factory.

Notice is hereby given to all interested parties of the opportunity to show cause, on or before Nov. 20, 1943, why the Secretary of Labor should not determine the prevailing minimum wages for the Cane Sugar Refining and Beet Sugar Manufacturing Industries to be in accordance with those set out above.

The proposed determination shall be effective and the minimum wages therein established shall apply to all contracts, bids for which are solicited or negotiations otherwise commenced on or after the date specified therein, subject to the provisions of the afore-mentioned Act of June 30, 1936, for the manufacture and supply of the products of the Cane Sugar Refining and the Beet Sugar Manufacturing Industries.

Briefs for or against the proposed determination must be filed with the Administrator, Division of Public Contracts, Department of Labor, 165 West 46th Street, New York, New York, on or before Nov. 20, 1943. No form for the brief is prescribed, but an original and four copies must be submitted.

The determination of the Secretary will be made on the basis of the entire record.

Dated: October 14, 1943.

L. METCALFE WALLING,  
Administrator.

[F. R. Doc. 43-17129; Filed, October 21, 1943; 4:33 p. m.]

#### Wage and Hour Division.

#### METAL ORE, COAL, PETROLEUM, AND NATURAL GAS EXTRACTION INDUSTRIES

#### NOTICE OF HEARING ON MINIMUM WAGE RECOMMENDATION

To be held November 18, 1943.

Whereas, the Administrator of the Wage and Hour Division of the United States Department of Labor, acting pursuant to section 5 (b) of the Fair Labor Standards Act of 1938, on August 31, 1943, by Administrative Order No. 214, appointed Industry Committee No. 66 for the Metal Ore, Coal, Petroleum, and Natural Gas Extraction Industries, composed of an equal number of representatives of the public, employers in the industry and employees in the industry, such representatives having been appointed with due regard to the geographical regions in which the industry is carried on; and

Whereas, Industry Committee No. 66, on September 28, 1943, recommended a minimum wage rate for the Metal Ore, Coal, Petroleum, and Natural Gas Extraction Industries and duly adopted a report containing such recommendation and reasons therefor and filed such report with the Administrator on September 29, 1943, pursuant to section 8 (d) of the Act and § 511.19 of the regulations issued under the Act; and

Whereas, the Administrator is required by section 8 (d) of the Act, after due notice to interested persons and giving them an opportunity to be heard, to approve and carry into effect by order the recommendation of Industry Committee No. 66 if he finds that the recommendation is made in accordance with law and is supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Industry Committee, will carry out the purposes of section 8 of the Act; and, if he finds otherwise, to disapprove such recommendation;

Now, therefore, Notice is hereby given that:

I. The recommendation of Industry Committee No. 66 is as follows:

Wages at a rate of not less than 40 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the Metal Ore, Coal, Petroleum, and Natural Gas Extraction Industries (as defined in Administrative Order No. 214) who is engaged in commerce or in the production of goods for commerce.

II. The definition of the Metal Ore, Coal, Petroleum, and Natural Gas Extraction Industries as set forth in Administrative Order No. 214, issued August 31, 1943, is as follows:

The production, including mining or other extraction, of metal ores, coal, lignite, peat, crude petroleum, and natural gases.

a. It includes, but without limitation, the dressing, beneficiating, and concentrating of metal ores and the breaking, washing, screening, pulverizing or drying of coal, lignite or peat.

b. Provided, however, That the definition shall not include any product or operation included in the Metal, Plastics, Machinery, Instrument, and Allied Industries (as defined

in the wage order for that industry); or in the Stone, Clay, Glass, and Allied Industries or the Chemical, Petroleum and Coal Products, and Allied Manufacturing Industries (as defined in Administrative Orders Nos. 192 and 193 respectively).

III. The full text of the report and recommendation of Industry Committee No. 66 is and will be available for inspection by any person between the hours of 9:00 a. m. and 4:00 p. m. at the following offices of the United States Department of Labor, Wage and Hour Division:

Boston, Massachusetts, Old South Building, 294 Washington Street.

New York, New York, Parcel Post Building, 341 Ninth Avenue.

Newark, New Jersey, Essex Building, 31 Clinton Street.

Syracuse, New York, 301 State Tower Building.

Philadelphia, Pennsylvania, 1216 Widener Building, Chestnut and Juniper Streets.

Pittsburgh, Pennsylvania, Clark Building, Liberty Avenue and Seventh Street.

Richmond, Virginia, 215 Richmond Trust Building.

Baltimore, Maryland, 401-411 Old Town Building, Gay and Fallsview Streets.

Atlanta, Georgia, Fifth Floor, Carl Witt Building, 249 Peachtree Street NE.

Columbia, South Carolina, Federal Land Bank Building, Hampton and Marion Streets.

Jacksonville, Florida, 456 New Post Office Building.

Raleigh, North Carolina, North Carolina Department of Labor, Salisbury and Edenton Streets.

Birmingham, Alabama, 1007 Comer Building.

New Orleans, Louisiana, 916 Richards Building, 837 Gravier Street.

Jackson, Mississippi, 404 Deposit Guaranty Bank Building, 102 Lamar Street.

Nashville, Tennessee, 509 Medical Arts Building.

Cleveland, Ohio, 4094 Main Post Office, West Third and Prospect Avenue.

Detroit, Michigan, David Stott Building, 1150 Griswold Street.

Cincinnati, Ohio, 1312 Traction Building, Fifth and Walnut Streets.

Chicago, Illinois, 1200 Merchandise Mart, 222 West North Bank Drive.

Minneapolis, Minnesota, 406 Pence Building, 730 Hennepin Avenue.

Kansas City, Missouri, 3000 Fidelity Building, 911 Walnut Street.

St. Louis, Missouri, 316 Old Customs House, 815 Olive Street.

Denver, Colorado, 300 Chamber of Commerce Building, 1726 Champa Street.

Dallas, Texas, Rio Grande National Building, 1100 Main Street.

San Francisco, California, 500 Humboldt Bank Building, 785 Market Street.

Los Angeles, California, 417 H. W. Hellman Building, Spring and Fourth Streets.

Seattle, Washington, 305 Post Office Building, Third Avenue and Union Street.

Portland, Oregon, 208 Old United States Court House.

San Juan, Puerto Rico, Post Office Box 112.

Washington, District of Columbia, Department of Labor, First Floor.

New York, New York, 165 West 46th Street.

Copies of the Committee's report and recommendation may be obtained by any person upon request addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York 19, New York.

IV. A public hearing will be held on November 18, 1943, before the Adminis-

trator of the Wage and Hour Division or a representative designated to preside in his place, at 10:00 a. m. in Room 1001, 165 West 46th Street, New York 19, New York, for the purpose of taking evidence on the following question:

Whether the recommendation of Industry Committee No. 66 should be approved or disapproved.

V. Any interested person supporting or opposing the recommendation of Industry Committee No. 66 may appear at the aforesaid hearing to offer evidence, either on his behalf or on behalf of any other person: *Provided*, That not later than November 15, 1943, such person shall file with the Administrator at New York, New York, a notice of his intent to appear which shall contain the following information:

1. The name and address of the person appearing.
2. If such person is appearing in a representative capacity, the name and address of the person or persons whom he is representing.
3. Whether such person proposes to appear for or against the recommendation of Industry Committee No. 66.
4. The approximate length of time requested for his presentation.

Such notice may be mailed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York 19, New York, and shall be deemed filed upon receipt thereof.

VI. Any person interested in supporting or opposing the recommendation of Industry Committee No. 66 may secure further information concerning the aforesaid hearing by inquiry directed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York 19, New York, or by consulting with attorneys representing the Administrator who will be available for that purpose at the Office of the Solicitor, United States Department of Labor, in Washington, D. C., and New York, New York.

VII. Copies of the following document relating to the Metal Ore, Coal, Petroleum, and Natural Gas Extraction Industries will be made available upon request for inspection by any interested person who intends to appear at the aforesaid hearing:

Report entitled, "Memorandum to Industry Committee No. 66 for the Metal Ore, Coal, Petroleum, and Natural Gas Extraction Industries," prepared by the Economics Branch, Wage and Hour and Public Contracts Divisions, United States Department of Labor, September 1943.

VIII. The hearing will be conducted in accordance with the following rules, subject, however, to such subsequent modifications by the Administrator or Presiding Officer as are deemed appropriate:

1. The hearing shall be stenographically reported and a transcript made which will be available to any person at prescribed rates upon request addressed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York 19, New York.
2. In order to maintain orderly and expeditious procedure, each person filing a Notice to Appear shall be notified, if practicable, of the approximate day and the place at which

he may offer evidence at the hearing. If such person does not appear at the time set in the notice, he will not be permitted to offer evidence at any time except by special permission of the presiding officer.

3. At the discretion of the presiding officer, the hearing may be continued from day to day, or adjourned to a later date, or to a different place by announcement thereof at the hearing by the presiding officer or by other appropriate notice.

4. At any stage of the hearing, the presiding officer may call for further evidence upon any matter. After the hearing has been closed, no further evidence shall be taken, except at the request of the Administrator, unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Administrator shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place fixed for such taking of testimony shall be given to all persons who have filed a notice of intention to appear at the hearing.

5. All evidence must be presented under oath or affirmation.

6. Written documents or exhibits, except as otherwise permitted by the presiding officer, must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof, and who shall, at the time of offering the documentary exhibit, make a brief statement as to the contents and manner of preparation thereof.

7. Written documents and exhibits shall be tendered in duplicate and the persons preparing the same shall be prepared to supply additional copies if such are ordered by the presiding officer. When evidence is embraced in a document containing matter not intended to be put in evidence, such a document will not be received, but the person offering the same may present to the presiding officer the original document together with two copies of those portions of the document intended to be put in evidence.

8. Subpoenas requiring the attendance of witnesses or the presentation of a document from any place in the United States at any designated place of hearing may be issued by the Administrator at his discretion, and any person appearing in the proceeding may apply in writing for the issuance by the Administrator of the subpoena. Such application shall be timely and shall identify exactly the witness or document and state fully the nature of the evidence proposed to be secured.

9. Witnesses summoned by the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance witnesses appear, and the Administrator before issuing subpoena may require a deposit of an amount adequate to cover the fees and mileage involved.

10. The rules of evidence prevailing in the courts of law or equity shall not be controlling.

11. The presiding officer may, at his discretion, permit any person appearing in the proceeding to cross-examine any witness offered by another person insofar as is practicable, and to object to the admission or exclusion of evidence by the presiding officer. Requests for permission to cross-examine a witness offered by another person and objections to the admission or exclusion of evidence shall be stated briefly with the reasons for such request or the ground of objection relied on. Such requests or objections shall become a part of the record, but this record shall not include argument thereon except as ordered by the presiding officer. Objections to the approval of the Committee's recommendation and to the promulgation of a wage order based upon such approval must be made at the hearing before the presiding officer.

12. Before the close of the hearing, written requests shall be received from persons appearing in the proceeding for permission to make oral arguments before the Administrator upon the matter in issue. If the Administrator, in his discretion, allows the request, he shall give such notice thereof as he deems suitable to all persons appearing in the proceedings and shall designate the time and place at which the oral arguments shall be heard. If such requests are allowed, all persons appearing at the hearing will be given opportunity to present oral argument.

13. Briefs (12 copies) may be submitted to the Administrator following the close of the hearing, by any person appearing therein. Notice of the final dates for filing such briefs shall be given by the Administrator in such manner as shall be deemed suitable by him.

14. On the close of the hearing, a complete record of the proceedings shall be filed with the Administrator. No intermediate report shall be filed unless so directed by the Administrator. If a report is filed it shall be advisory only and have no binding effect upon the Administrator.

15. No order issued as a result of the hearing will take effect until after due notice is given of the issuance thereof by publication in the FEDERAL REGISTER.

Signed at New York, New York, this 13th day of October 1943.

L. METCALFE WALLING,  
Administrator.

[F. R. Doc. 43-17130; Filed, October 21, 1943; 4:33 p. m.]

## FEDERAL TRADE COMMISSION.

[Docket No. 4974]

BEN KALISH

### ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 21st day of October, A. D., 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission.

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, November 1, 1943, at ten o'clock in the forenoon of that day (eastern standard time) in Hearing Room, Federal Trade Commission Offices, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 43-17159; Filed, October 22, 1943; 11:31 a. m.]

[Docket No. 4976]

## KENITE LABORATORY, INC.

ORDER APPOINTING TRIAL EXAMINER AND  
FIXING TIME AND PLACE FOR TAKING  
TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 21st day of October, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, November 16, 1943, at ten o'clock in the forenoon of that day (eastern standard time) in Room 505, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.[F. R. Doc. 43-17160; Filed, October 22, 1943;  
11:31 a. m.]

[Docket No. 5015]

## GOTHAM PREMIUM NOVELTY CO.

ORDER APPOINTING TRIAL EXAMINER AND  
FIXING TIME AND PLACE FOR TAKING  
TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 21st day of October, A. D. 1943.

In the matter of Irving Yanowitz and Benjamin Sokoloff, individually, and trading as Gotham Premium Novelty Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, October 28, 1943, at ten o'clock in the forenoon of that day (eastern standard time) in Room 505, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial ex-

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aminer will then close the case and make his report upon the evidence.  
By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.[F. R. Doc. 43-17161; Filed, October 22, 1943;  
11:31 a. m.]

[Docket No. 5040]

## OX'O-GAS COMPANY

ORDER APPOINTING TRIAL EXAMINER AND  
FIXING TIME AND PLACE FOR TAKING  
TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 21st day of October, A. D. 1943.

In the matter of Eli Eghan, an individual trading under his own name and also as Ox'O-Gas Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, November 9, 1943, at ten o'clock in the forenoon of that day (eastern standard time) in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.[F. R. Doc. 43-17162; Filed, October 22, 1943;  
11:31 a. m.]

## OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 2355]

## TRUST UNDER WILL OF LOUISE ALTER

In re: Trust under the will of Louise Alter, deceased; File D-66-383; E.T. sec. 2747.

Under the authority of the Trading With the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Land Title Bank and Trust Company, Trustee, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

## National and Last Known Address

Anna Marie Streib, also known as Marie Streib, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna Marie Streib, also known as Marie Streib, in and to the trust estate created under the will of Louise Alter, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.[F. R. Doc. 43-17164; Filed, October 22, 1943;  
11:27 a. m.]

[Vesting Order 2356]

## ESTATE OF FRITZ AMEND

In re: Estate of Fritz Amend, deceased; File F-28-9129; E. T. sec. 1315.

Under the authority of the Trading With the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Bank of America National Trust and Savings Association, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Solano;

(2) Such property, and interests are payable or deliverable to, or claimed by, na-

nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Fritz Ament (Amend) or his issue or spouse, Germany.

Anton Ament (Amend) or his issue or spouse, Germany.

The surviving issue or spouse, names unknown, of Agnes Horber who died a resident of Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Fritz Ament (Amend) or his issue or spouse; Anton Ament (Amend) or his issue or spouse; and the surviving issue or spouse, names unknown, of Agnes Horber who died a resident of Germany and each of them in and to the estate of Fritz Ament, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-17165; Filed, October 22, 1943; 11:27 a. m.]

[Vesting Order 2357]

*ESTATE OF MARGARETE BECK*

In re: Estate of Margarete Beck, deceased; File D-28-2031; E. T. sec. 2171.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Fred A. Hay, 1407 Sixth Avenue, Sterling, Illinois, Administrator de bonis non cum testamento annexo, acting under the judicial supervision of the County Court of the State of Illinois, in and for the County of Whiteside;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Mrs. Emma Beutel and her surviving children, names unknown, Germany.

Frieda Pfirrmann and her surviving children, names unknown, Germany.

Otto Emile Wust and her surviving children, names unknown, Germany.

Hilda Katharina Grauer and her surviving children, names unknown, Germany.

Jacob Richard Wust and his surviving children, names unknown, Germany.

Luise Wust and her surviving children, names unknown, Germany.

Johannes Schwarz and his surviving children, names unknown, Germany.

Mrs. Anna Dietz and her surviving children, names unknown, Germany.

Otto Schwarz and his surviving children, names unknown, Germany.

Mrs. Emma Nuss and her surviving children, names unknown, Germany.

Emile Schwarz and his surviving children, names unknown, Germany.

Adolf Schwarz, and his surviving children, names unknown, Germany.

Elsa Ewinger and her surviving children, names unknown, Germany.

Wilhelm Schwarz and his surviving children, names unknown, Germany.

Descendants of Frank Petillon, names unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Mrs. Emma Beutel, Frieda Pfirrmann, Otto Emile Wust, Hilda Katharina Grauer, Jacob Richard Wust, Luise Wust, Johannes Schwarz, Mrs. Anna Dietz, Otto Schwarz, Mrs. Emma Nuss, Emile Schwarz, Adolf Schwarz, Elsa Ewinger, Wilhelm Schwarz and their surviving children, names unknown, and descendants of Frank Petillon, names unknown, and each of them, in and to the estate of Margarete Beck, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-17166; Filed, October 22, 1943; 11:27 a. m.]

[Vesting Order 2358]

*TRUST UNDER WILL OF PETER P. BULLINGER*

In re: Trust under the will of Peter P. Bullinger, deceased; File D-28-4840; E. T. sec. 1385.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The National City Bank of New York, substituted trustee, acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Herman Bullinger, Germany.

Josephine Bullinger, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Herman Bullinger and Josephine Bullinger, and each of them, in and to the trust created under the will of Peter P. Bullinger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it

should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-17167; Filed, October 22, 1943;  
11:27 a. m.]

[Vesting Order 2359]

#### ESTATE OF LINA BUNTE

In re: Estate of Lina Bunte, also known as Karoline Bunte, deceased; File D-28-2147; E. T. sec. 2692.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein after described are property which is in the process of administration by Otto A. Hoecker, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

#### Nationals and Last Known Address

Heinrich Bunte, or his issue, Germany.  
Gustav Bunte, or his issue, Germany.  
Lina Bunte, or her issue, Germany.  
Minna Bunte, or her issue, Germany.  
Christine Bunte, or her issue, Germany.  
Hanna Bunte, or her issue, Germany.  
Gerhard Bunte, or his issue, Germany.  
Werner Bunte, or his issue, Germany.  
Hanna Bunte, or her issue, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Heinrich Bunte, or his issue, Gustav Bunte, or his issue, Lina Bunte, or her issue, Minna Bunte, or her issue, Christine Bunte, or her issue, Hanna Bunte, or her issue, Gerhard Bunte, or his issue, Werner Bunte, or his issue and Hanna Bunte, or her issue, and each of them in and to the Estate of Lina Bunte, also known as Karoline Bunte, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in

the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-17168; Filed, October 22, 1943;  
11:28 a. m.]

[Vesting Order 2360]

#### TRUST UNDER WILL OF MARY D. D. CARPENTER

In re: Trust under the will of Mary D. D. Carpenter, deceased; File D-66-354; E. T. sec. 2622.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Girard Trust Company, N. W. Corner Broad and Chestnut Streets, Philadelphia, Pennsylvania, Trustee, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

#### Nationals Last Known Address

Sophie Carpenter Gordigliani, Italy.  
Isotta Gordigliani Frezza, Italy.  
Daria Frezza and other child or children, names unknown, of Isotta Gordigliani Frezza, Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Sophie Carpenter Gordigliani, Isotta Gordigliani Frezza, and Daria Frezza and other child or children, names unknown, of Isotta Gordigliani Frezza, and each of them, in and to the trust estate created under the will of Mary D. D. Carpenter, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-17169; Filed, October 22, 1943;  
11:28 a. m.]

[Vesting Order 2361]

#### ESTATE OF AUGUST DIERKING

In re: Estate of August Dierking, deceased; File D-28-2534; E. T. sec. 3836.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Mrs. Ruth Edna Deavener, Executrix, 2190 Boone Street, Cincinnati, Ohio, acting under the judicial supervision of the Probate Court of Hamilton County, Ohio;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

#### National and Last Known Address

Arima Franke, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

Cash in the sum of Five Dollars (\$5.00) payable or deliverable to Arima Franke by Mrs. Ruth Edna Deavener, Executrix of the Estate of August Dierking, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-17170; Filed, October 22, 1943;  
11:28 a. m.]

[Vesting Order 2362]

#### ESTATE OF LUDWIG EGGBRECHT

In re: Estate of Ludwig Eggebrecht, deceased; file D-28-2134; E. T. sec. 2682.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Albert C. Mueller, Route 1, Alma, Wisconsin, Executor, acting under the judicial supervision of the County Court of the State of Wisconsin, in and for the County of Clark;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

#### Nationals and Last Known Address

Hedwig Michael, Germany.  
Paul Hanich, Germany.  
Max Hanich, Germany.  
Auguste Mueller, Germany.  
Ida Schultz, Germany.  
Anneliese Brandstaedter, Germany.  
Paul Lange, Germany.  
Hans Eggebrecht, Germany.  
Margarete Drews, Germany.  
Walter Drews, Germany.  
Gertrude Drews, Germany.  
Charlotte Kieling, Germany.  
Otto Drews, Germany.  
Richard Drews, Germany.

Meta Zierks, Germany.  
Ernst Dobbert, Germany.  
August Dobbert, Germany.  
Fritz Dobbert, Germany.  
Wilhelm Dobbert, Germany.  
Anna Lorentz, Germany.  
Luise Berg, Germany.  
Meta Boettcher, Germany.  
Maria Nehls, Germany.  
Ella Arndt, Germany.  
Walter Schlorff, Germany.  
Charlotte Teichert, Germany.  
Ursula Pingel (minor), Germany.

Heirs, executors, administrators, legatees, devisees, personal representatives and assigns of Gerhard Drews, deceased, names unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Hedwig Michael, Paul Hanich, Max Hanich, Auguste Mueller, Ida Schultz, Anneliese Brandstaedter, Paul Lange, Hans Eggebrecht, Margarete Drews, Walter Drews, Gertrude Drews, Charlotte Kieling, Otto Drews, Richard Drews, Meta Zierke, Ernst Dobbert, August Dobbert, Fritz Dobbert, Wilhelm Dobbert, Anna Lorenz, Luise Berg, Meta Boettcher, Maria Nehls, Ella Arndt, Walter Schlorff, Charlotte Teichert, Ursula Pingel (minor) and heirs, executors, administrators, legatees, devisees, personal representatives and assigns of Gerhard Drews, deceased, names unknown, and each of them, in and to the estate of Ludwig Eggebrecht, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-17171; Filed, October 22, 1943;  
11:28 a. m.]

[Vesting Order 2363]

#### ESTATE OF JOSEPH GOEPFRICH

In re: Estate of Joseph Goepfrich, deceased; File D-28-1996; E. T. sec. 2064.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein after described are property which is in the process of administration by Joseph B. Goepfrich, Administrator, acting under the judicial supervision of the Orphans Court, Philadelphia County, Pennsylvania,

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

#### Nationals and Last Known Address

Engelbert Goepfrich, Germany.  
Anna Goepfrich, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Engelbert Goepfrich and Anna Goepfrich, and each of them, in and to the estate of Joseph Goepfrich, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-17172; Filed, October 22, 1943;  
11:28 a. m.]

[Vesting Order 2364]

## ESTATE OF ELIZABETH GRIESEL

In re: Estate of Elizabeth Griesel, deceased; file D-66-1105; E. T. sec. 7467.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

## Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John C. Bambenek, Treasurer of Winona County, Court House, Winona, Minnesota, Depository, acting under the judicial supervision of the Probate Court of the State of Minnesota, in and for the County of Winona;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

## National and Last Known Address

Emma Guertler, Germany.

## And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of \$643.55 which is in the possession and custody of John C. Bambenek, Treasurer of Winona County, Minnesota, depository, pursuant to order entered November 7, 1939, by the Probate Court of Winona County, Minnesota, in the matter of the estate of Elizabeth Griesel, deceased, Case #10,149,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-17173; Filed, October 22, 1943;  
11:29 a. m.]

[Vesting Order 2365]

## PROPERTY AND INTERESTS OF GIUSTINA AND DOMENICA CASSASSA

In re: Receivership of Guarantee Trust and Safe Deposit Company of Mt. Carmel, Pennsylvania; file D-38-2737; E. T. sec. 7580.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

## Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Secretary of Banking, Commonwealth of Pennsylvania, receiver, acting under the judicial supervision of the Court of Common Pleas of Northumberland County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

## Nationals and Last Known Address

Giustina Cassassa, Italy.

Domenica Cassassa, Italy.

## And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

Cash in the sum of \$156.42 distributable and payable to Giustina Cassassa and cash in the sum of \$156.42 to Domenica Cassassa, in the possession of the Secretary of Banking, Commonwealth of Pennsylvania, Receiver, together with all interest accrued thereon,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-17174; Filed, October 22, 1943;  
11:29 a. m.]

[Vesting Order 2366]

## ESTATE OF ELIZABETH HORNING

In re: Estate of Elizabeth Horning, deceased; File D-66-437; E. T. sec. 2915.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

## Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Corn Exchange National Bank & Trust Company, Albert J. Westerman, Executors and Trustees, Elizabeth Friedrich, Executrix and George W. Westerman, Trustee, acting under the judicial supervision of the Orphans Court, Philadelphia, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany namely,

## Nationals and Last Known Address

Elizabeth Rohrbacher, Germany.

Lisita Wach, Germany.

Mina Eckstein, Germany.

## And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Elizabeth Rohrbacher, Lisita Wach and Mina Eckstein and each of them in and to the estate of Elizabeth Horning, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claims arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-17175; Filed, October 22, 1943;  
11:29 a. m.]

[Vesting Order 2367]

#### ESTATE OF ERNEST KOCH

In re: Estate of Ernest Koch, also known as Ernst Koch, deceased; File D-28-2250; E. T. sec. 3244.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Albert E. Hill, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Alameda;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely

National and Last Known Address

Johannes Koch, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Johannes Koch in and to the Estate of Ernest Koch, also known as Ernst Koch, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated October 9, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-17176; Filed, October 22, 1943;  
11:29 a. m.]

[Vesting Order 2368]

#### ESTATE OF JOSEPH LABUDA

In re: Estate of Joseph Labuda, deceased; File D-6-146; E. T. sec. 2341.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Frank P. Anderwald, 77 West Washington Street, Chicago, Illinois, Executor, acting under the judicial supervision of the Probate Court of Cook County, State of Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Marie Drbohlaw, Germany (Austria).  
Katharina Lammel, Germany (Austria).  
Johann Mikulitsch, Germany (Austria).  
Michael Mikulitsch, Germany (Austria).

Person or persons, names unknown, surviving issue of any of the above designated nationals who predeceased Joseph Labuda, Germany (Austria).

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Marie Drbohlaw, Katharina Lammel, Johann Mikulitsch, Michael Mikulitsch, and person or persons, names unknown, surviving issue of any of the above designated nationals who predeceased Joseph Labuda, and each of them, in and to the estate of Joseph Labuda, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should

be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated October 9, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-17177; Filed, October 22, 1943;  
11:29 a. m.]

[Vesting Order 1252, Amdt.]

#### PROPERTY OF FUSAE MORIMOTO

Re: Real property and bank account owned by Fusae Morimoto.

Vesting Order Number 1252, dated April 20, 1943, is hereby amended to read as follows:

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Fusae Morimoto is Japan, and that he is a resident of Japan and a national of a designated enemy country (Japan);

2. That Fusae Morimoto is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the City and County of Los Angeles, State of California, particularly described as Lots 1, 2 and 3 in Block "C" of the Obeir Tract, in the City and County of L. A., State of Calif., as per map recorded in Book 2 Page 40 of Maps in the office of the County Recorder of said County except that part of Lot 1 allotted to the City of Los Angeles for the opening and widening of Eleventh Street, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

b. That certain bank account known as Savings Account No. 6737 with the California Bank, Los Angeles, California, which account is due and owing to, and held for and in the name of, Fusae Morimoto, and any and all security rights in and to any and all collateral for all or part of such obligation, and the right to enforce and collect such obligation,

is property with the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a

national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

Hereby vests in the Alien Property Custodian the property described in subparagraph 3-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one, or all, of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on October 16, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-17178; Filed, October 22, 1943;  
11:30 a. m.]

#### OFFICE OF PRICE ADMINISTRATION.

##### LIST OF INDIVIDUAL ORDERS GRANTING ADJUSTMENTS, ETC., UNDER PRICE REGULATIONS

The following orders were filed with the Division of the Federal Register on October 20, 1943.

##### Order Number and Name

MPR 188, Order 789, Bi Metallic Products Corp.  
MPR 214, Order 5, Amendment 1, Taylor-Wharton Iron & Steel Co.  
MPR 244, Order 16, Amendment 2, Lakey Foundry & Machine Co.  
MPR 244, Order 47, Capitol Foundry Co.  
MPR 427, Order 2, Amendment 1, Stein Hall Mfg. Co.

Copies of these orders may be obtained from the Printing and Distribution

Branch of the Office of Price Administration.

ERVIN H. POLLACK,  
Head, Editorial and Reference Section.

[F. R. Doc. 43-17133; Filed, October 21, 1943;  
5:13 p. m.]

[Rev. Gen. Order 32, Amdt. 7]

#### REGIONAL ADMINISTRATORS

##### DELEGATION OF AUTHORITY TO ACT FOR THE PRICE ADMINISTRATOR

Revised General Order No. 32 is amended in the following respects:

1. Subparagraph (1) of paragraph (a) is amended by adding at the end thereof the following clause:

or applications for authorization under § 1341.202 (j) of Maximum Price Regulation No. 207 (Frozen Fruits, Berries and Vegetables) to agree to adjust prices upon deliveries made while a petition for amendment is pending in accordance with the disposition of the petition.

2. Subparagraph (1) of paragraph (b) is amended by adding at the end thereof the following clause:

or applications for authorization under § 1341.202 (j) of Maximum Price Regulation No. 207 (Frozen Fruits, Berries and Vegetables) to agree to adjust prices upon deliveries made while a petition for amendment is pending in accordance with the disposition of the petition.

This amendment shall become effective October 21, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of October 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-17134; Filed, October 21, 1943;  
5:14 p. m.]

#### Regional and District Office Orders.

[Boise Order 1 Under Rest. MPR 7-1]

##### MALT BEVERAGES IN BOISE DISTRICT

Order No. 1 under Restaurant MPR 7-1. Food and drink sold for immediate consumption. Maximum prices for malt beverages sold by eating or drinking places.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Boise, Idaho, District Office of Region VII of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, Restaurant MPR 7-1 and Region VII Revised Delegation Order No. 15, dated September 20, 1943, It is hereby ordered:

SECTION 1. What this order requires. If you are a person covered by Restaurant MPR 7-1 as explained in the next

18 F.R. 1769, 2902, 2906, 4143, 5417, 7054, 10685.

section, you must, notwithstanding the provisions of any other order or regulation, observe the ceiling prices established by this order for malt beverages and keep records and post prices as subsequently specified.

SEC. 2. Who is covered by order. (a) You are covered by this order when:

(1) You own or operate a restaurant, hotel, tavern, coffee shop, cafe, delicatessen, bar, soda fountain, cocktail lounge or other eating or drinking place which serves malt beverages to consumers for immediate consumption.

(2) The eating or drinking place which you operate is located in any of the following counties: Ada, Adams, Bannock, Bear Lake, Bingham, Blaine, Boise, Bonneville, Butte, Camas, Canyon, Caribou, Cassia, Clark, Custer, Elmore, Franklin, Fremont, Gem, Gooding, Jefferson, Jerome, Lemhi, Lincoln, Madison, Minidoka, Oneida, Owyhee, Payette, Power, Teton, Twin Falls, Valley, and Washington in Idaho; Harney and Malheur in Oregon.

(3) You are selling malt beverages as defined in section 7.

(b) You are not covered when you operate:

(1) A railroad dining car or a peddler's business aboard railroad cars traveling from station to station.

(2) An eating and drinking place in connection with special church, Sunday school and other religious occasions.

(3) A hospital, except when you serve malt beverages to persons other than patients at a separate charge.

SEC. 3. Your ceiling prices. Your ceiling prices for malt beverages are set forth below.

(a) Bottled malt beverages.

Brand or trade name	11 and 12 ounce	32 ounce
Acme	\$0.16	\$0.36
Aero Club	.16	.36
Alt Heidelberg	.16	.36
Am. Pilsner	.16	.36
Becker's Best	.16	.36
Bohemian Club	.16	.36
Brown Derby	.16	.36
Butte	.16	.36
Goetz Country Club	.16	.36
Gold Medal Lager	.16	.36
Great Falls	.16	.36
Highlander	.16	.36
Hop Gold	.16	.36
Lucky Lager	.16	.36
Missoula	.16	.36
Old Empire	.16	.36
Olympia	.16	.36
Overland	.16	.36
Schmidt City Club	.16	.36
Sicks Select	.16	.36
Uinta Club	.16	.36
Volk Pilsner	.16	.36
Blatz	.21	.41
Budweiser	.21	.41
Buckingham Ale	.21	.41
Buckingham Beer	.21	.41
Coors	.21	.41
Hamm's	.21	.41
Lemp's	.21	.41
Manhattan	.21	.41
Pabst Blue Ribbon	.21	.41
Schlitz	.21	.41
Yoerks, Bock or Aged	.21	.41

(b) Malt beverages on draft. All brands malt beverage ten (10) fluid ounces, exclusive of foam, for ten cents (10¢). Other quantities of any or all brands of malt beverage, sold on draft, may be sold by any eating or drinking place to which this order applies: Pro-

vided, That such eating or drinking place dispenses no less than one (1) fluid ounce, exclusive of foam, of malt beverage for each one cent (1¢) charged.

(c) *Unbranded beverages.* Your ceiling price for any bottled malt beverage which does not carry a brand or trade name at the time of sale shall be the lowest ceiling price established by paragraph (a) above, for the same size bottle of malt beverage.

(d) *New and unlisted brands.* Your ceiling prices for new brands of malt beverages or brands which are not listed above must be determined in advance of sale by making application to the Boise, Idaho, District Office of the Office of Price Administration. This office will establish your ceiling price or prices and notify you accordingly. Your application need not be in any set form but must include your name and address; the location and type of eating and drinking place; the trade name or brand name of the malt beverage for which you apply for a ceiling price; the size of the bottle or glass sold to consumers; and a description of the unit of purchase and the delivered cost per unit to you.

(e) *Addition of taxes.* You may not add taxes to the ceiling prices provided for in the preceding paragraphs. Existing taxes have already been taken into account in establishing these prices. If new or increased taxes render the prices inequitable, appropriate action will be taken by amendment.

(f) *Adjustment of ceiling prices.* You may apply for adjustment of the ceiling prices set forth above if by reason of special service, entertainment, location or other unusual operating factors your eating and drinking place has charged higher prices for malt beverages than those generally charged by regular service restaurants. Adjustments can be granted only by your Boise, Idaho, District Office and in no event can the adjusted ceiling price be higher than the highest price at which you sold the same or comparable brand of malt beverage during the seven-day period from April 4 to 10, 1943. Such an application must be filed in duplicate with your local War Price and Rationing Board. No application filed after December 1, 1943, will be granted. The application must contain:

(1) Name and address of your eating or drinking place for which the adjustment is sought.

(2) A description of the type of operation, (such as hotel dining room, night club, high grade restaurants offering entertainment.)

(3) A list showing separately the highest price or prices which you charged for the malt beverage for which you ask an adjustment during March of 1942, and during the seven-day period from April 4 to April 10, 1943. You must also include in the list the adjusted prices which you are requesting. If your prices during March, 1942, and the seven-day period varied according to the time of day at which a sale was being made, you must indicate the different periods of the day and the different prices prevailing during such periods. If your place was not in operation during March, 1942, or if

you did not sell malt beverages during that month, you must show instead your highest prices during the first month thereafter when your place was in operation or when you sold malt beverages.

(4) The reasons why you believe an adjustment should be permitted.

(5) The names of two of the nearest eating and drinking establishments of the same type as yours; and

(6) Such other information as you believe helpful or as may be required by your War Price and Rationing Board or the District Office of Price Administration.

(g) *Evasion.* You must not evade the ceiling prices established by this section by any type of evasion scheme or device. Among other things you must not:

(1) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did not have in effect during the 7-day period from April 4 to April 10, 1943, or

(2) Require as a condition of sale of a beverage the purchase of other items or meals when such condition was not in effect during the period April 4 to April 10, 1943.

SEC. 4. *Records and menus.* You must observe the requirements of General Order No. 50 and Restaurant MPR 7-1 with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. For the purposes of this order the most important features of the record requirements of General Order No. 50 and Restaurant MPR 7-1 are that you (a) preserve all existing records relating to prices, cost and sales of food items, meals and beverages, (b) continue to prepare and maintain such records as you ordinarily kept, and (c) keep for examination by the Office of Price Administration two of each menus used by you each day or a daily record in duplicate of the prices charged for food items, beverages and meals. If you have customarily used menus, you must continue to do so.

SEC. 5. *You must post prices.* You must post the prices of the malt beverages sold by you either by:

(a) Supplying menus or bills of fare to your customers containing the brand name, quantity and price of all malt beverages which are sold by you subject to this order, or

(b) Posting a sign in a place where it can easily be read by your customers. On the sign you must show the brand name, quantity and prices of the malt beverages you are selling subject to this order.

SEC. 6. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violations of the license or the order. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 7. *Definitions.* (a) "Malt beverage" means any malt beverage produced either within or without the continental

United States which commonly goes by the name of beer or ale.

(b) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(c) "Serves" means the act of performing service in connection with the sale of food items, meals or beverages including but not limited to waiting on tables, mixing or preparing, dishing or pouring food or beverages for customers, dispensing either bottled or draft malt beverages, or cleaning or taking away dirty dishes and glasses.

SEC. 8. *Revocation and amendment.* (a) This order may be revoked, amended or corrected at any time.

(b) You may petition for an amendment of any provision of this order (including a petition under Supplementary Order No. 28) by proceeding in accordance with Revised Procedural Regulation No. 1, except that petitions will be filed with and acted upon by the District Director. This order shall become effective October 8th, 1943.

NOTE: The reporting and record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Gen. Order 50, 8 F.R. 4808; Region VII Revised Delegation Order No. 15)

Issued at Boise, Idaho, this 4th day of October 1943.

C. C. ANDERSON,  
District Director.

[F. R. Doc. 43-17131; Filed, October 21, 1943; 5:12 p. m.]

[Boise Order 1 Under Rest. MPR 7-1, Amdt. 1]

#### MALT BEVERAGES IN BOISE DISTRICT

Amendment No. 1 to Order No. 1 under Restaurant MPR 7-1. Filing of prices by restaurants and similar establishments: Delegation of authority to fix maximum prices. Maximum prices for malt beverages sold by eating or drinking places.

Pursuant to section 2 of the Emergency Price Control Act of 1942, as amended, and section 20 of 2d Revised Restaurant MPR 7-1 and to the authority delegated to the District Director of the Boise, Idaho, District Office by Region VII Revised Delegation Order No. 15 dated September 20, 1943, and for the reasons set forth in an opinion issued simultaneously herewith, it is hereby ordered that the above described order be amended in the following respects:

Section 3 (b) is amended to read as follows:

(b) *Malt beverages on draft.* All brands malt beverage nine (9) fluid ounces, exclusive of foam, for ten cents (10¢). Other quantities of any or all

brands of malt beverage, sold on draft, may be sold by any eating or drinking place to which this order applies: *Provided*, That such eating or drinking place may sell malt beverages on draft when less than nine (9) fluid ounces, exclusive of foam, or when in excess of nine (9) fluid ounces, exclusive of foam, at a price of one cent (1¢) for each fluid ounce.

This Amendment No. 1 shall become effective October 8, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued at Boise, Idaho, this 8th day of October 1943.

WILLIAM S. HILL,  
Acting District Director.

[F. R. Doc. 43-17132; Filed, October 21, 1943; 5:13 p. m.]

[Tulsa Order G-1 Under MPR 426]

LETTUCE IN TULSA, OKLA., DISTRICT

Order No. G-1 under Maximum Price Regulation No. 426, as amended. Fresh fruits and vegetables for table use, sales except at retail. Maximum prices for lettuce.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Regional Administrator for Region V of the Office of Price Administration, and by him delegated on the 13th day of July, 1943, by Region V Delegation of Authority Order No. 27, to the District Director of the Tulsa, Oklahoma District Office of Region V of the Office of Price Administration, by virtue of section 2 (b) of Maximum Price Regulation No. 426, as amended, *It is hereby ordered:*

SECTION 1. *Maximum prices.* The maximum price for less than carlot or less than trucklot sales of iceberg lettuce in L. A. Crates containing from four (4) to six (6) dozen heads with a minimum net weight of sixty (60) pounds to any person, except to an ultimate consumer, shall be the maximum price for carlot or trucklot sales at any wholesale receiving point, plus ninety cents (90¢).

SEC. 2. *Applicability of Maximum Price Regulation No. 426.* Except as specifically provided in this order, the provisions of Maximum Price Regulation No. 426, as amended, are in no way affected and shall continue to remain in full force and effect.

SEC. 3. *Geographical applicability.* The provisions of this order shall apply to the Tulsa District composed of the following counties located in the State of Oklahoma, to wit:

Adair, Cherokee, Craig, Creek, Delaware, Haskell, Hughes, Latimer, LeFlore, McIntosh, Mayes, Muskogee, Nowata, Okfuskee, Okmulgee, Osage, Ottawa, Pawnee, Pittsburg, Rogers, Sequoyah, Tulsa, Wagoner, and Washington.

SEC. 4. *Revocation.* This order may be revoked, amended or corrected at any time.

SEC. 5. *Definitions.* The terms herein used shall be the same in meaning as

No. 211—7

like terms used in Maximum Price Regulation No. 426, as amended, and defined therein.

SEC. 6. *Effective date.* This order shall become effective at 12:01 a. m. central war time, October 21, 1943, and shall remain in full force and effect until specifically revoked, corrected or amended.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, and Maximum Price Regulation No. 426, 8 F.R. 9546)

Issued at Tulsa, Oklahoma, this 16th day of October 1943.

BEN O. KIRKPATRICK,  
District Director.

[F. R. Doc. 43-17151; Filed, October 22, 1943; 9:32 a. m.]

[Region VI Order G-1 Under SR 15 and MPR 280]

FLUID MILK IN LINCOLN, ILL.

Order No. G-1 under § 1499.75 (a) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under § 1351.807 (a) of Maximum Price Regulation No. 280. Maximum prices for specific food products. Adjustment of fluid milk prices in Lincoln, Illinois.

For reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and by § 1351.807 (a) of Maximum Price Regulation No. 280, *It is ordered:*

(a) *Maximum distributors' prices.* The maximum price for the sale and delivery of fluid milk at wholesale in the Lincoln, Illinois, area shall be:

Regular and chocolate milk:	Wholesale (cents)
Bulk, per gallon.....	37
Gallons.....	37
Half gallons.....	19
Quarts.....	11
Half pints.....	8

(b) *Definitions.* For the purposes of this order:

1. Sales and deliveries within the Lincoln, Illinois area shall mean:

i. All sales made within the city limits of Lincoln, Illinois, and all sales at or from an establishment located in Lincoln, Illinois.

ii. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Lincoln, Illinois.

2. "Milk" shall mean cows' milk having a butterfat content of not less than 3.2 per cent or the legal minimum established by statute or municipal ordinance, processed, distributed and sold for consumption in fluid form as whole milk.

3. "Sales at wholesale" shall for the purposes of this order include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals, and other institutions.

4. Unless the context otherwise requires, the definitions set forth in

§ 1499.20 of the General Maximum Price Regulation, § 1351.816 of Maximum Price Regulation No. 280, as the case may be, and section 302 of the Emergency Price Control Act of 1942 as amended, shall be applicable to the terms used herein.

(c) This order may be revoked, amended or corrected at any time. This order shall become effective October 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 14th day of October 1943.

RAYMOND S. McKEOUGH,  
Regional Administrator.

[F. R. Doc. 43-17147; Filed, October 22, 1943; 9:31 a. m.]

[Region VI Order G-14 Under MPR 329]

MILK IN ALTON, WOOD RIVER, AND MORO, ILL.

Order No. G-14 under Maximum Price Regulation No. 329. Purchase of milk from producers for resale as fluid milk. Producers' milk prices for Alton, Wood River and Moro, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 of Maximum Price Regulation No. 329, *It is hereby ordered:*

(a) The maximum prices which distributors may pay to producers for milk sold for human consumption in fluid form shall be as follows:

Month:	Maximum price per cwt.
October.....	\$3.59
November.....	3.59
December.....	3.39
January.....	3.39
February.....	3.39
March.....	3.39
April.....	3.29
May.....	3.29
June.....	3.29
July.....	3.59
August.....	3.59
September.....	3.59

The above prices are established for 3.5 per cent milk. There may be added thereto no more than 4¢ for each  $\frac{1}{10}$  of a pound of butterfat in excess of 3.5 per cent and there shall be deducted no less than 4¢ for each  $\frac{1}{10}$  of a pound of butterfat below 3.5 per cent.

(b) This order shall apply to all purchases of milk by distributors whose bottling establishments are located in Alton, Wood River, and Moro, Illinois.

(c) Unless the context otherwise requires the definitions set forth in § 1351.404 of Maximum Price Regulation No. 329 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) This order may be revoked, amended or corrected at any time. This order shall become effective October 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of October 1943.

RAYMOND S. McKEOUGH,  
Regional Administrator.

[F. R. Doc. 43-17149; Filed, October 22, 1943;  
9:32 a. m.]

[Region VIII Order G-3 Under MPR 329,  
Amdt. 3]

#### MILK IN STATE OF CALIFORNIA

Amendment No. 3 to Order No. G-3 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 of Maximum Price Regulation No. 329, Order No. G-3 under Maximum Price Regulation No. 329 is hereby amended as follows:

(a) Paragraph (b) as amended is hereby further amended to read as follows:

The maximum delivered price at which any person may purchase fluid milk from any producer whose dairy is situated in any of the localities listed in paragraph (a) above, where the producer (including a group or association of producers) delivers the milk to the purchaser's plant, or to a railway freight depot where such milk is collected for shipment in railway cars, in vehicles operated by the producers (but not where an individual producer operates more than one vehicle in the collection of milk from other producers for delivery to the purchaser) shall be the maximum price determined under paragraph (a), plus a transportation allowance computed as follows:

Distance from producer's dairy to purchaser's plant: lb. milk fat	Transportation allowance per
Less than 5 miles.....	\$0.02
5 miles and less than 10.....	.025
10 miles and less than 20.....	.03
20 miles and less than 30.....	.035
30 miles and less than 40.....	.04
40 miles and less than 50.....	.045
50 miles and less than 60.....	.05
60 miles and over.....	.055

(b) Paragraph (c) as amended is hereby revoked.

This amendment shall become effective upon issuance.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 14th day of October 1943.

EDGAR SINTON,  
Acting Regional Administrator.

[F. R. Doc. 43-17152; Filed, October 22, 1943;  
9:31 a. m.]

[Region VIII Order G-2 Under MPR 418]

#### FRESH FISH AND SEAFOOD IN STATE OF WASHINGTON

Order No. G-2 under section 2 (d), of Maximum Price Regulation 418, as amended. Fresh fish and seafood.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by section 2 (d), of Maximum Price Regulation 418, as amended, *It is hereby ordered:*

(a) The maximum price for the specie and style of dressing of fresh fish described in section 20, Table A, Schedules 27, 28 and 30 of Maximum Price Regulation 418, as amended, delivered to buyers' docks in the cities of Seattle, Everett, Bellingham and Anacortes, in the State of Washington, shall be the prices set forth in section 20, Table A, Schedules 27, 28, and 30, plus ½ cent per pound.

(b) This order may be amended or revoked at any time.

This order shall take effect upon its issuance.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 14th day of October 1943.

EDGAR SINTON,  
Acting Regional Administrator.

[F. R. Doc. 43-17153; Filed, October 22, 1943;  
9:31 a. m.]

[Region VIII Order G-6 Under MPR 329,  
Amdt. 1]

#### MILK IN STATE OF ARIZONA

Amendment No. 1 to Revised Order No. G-6 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 of Maximum Price Regulation No. 329, it is hereby ordered that paragraph (a) and paragraph (c) be amended and paragraph (d) (7) be added, as set forth below:

(a) The maximum price delivered to the purchaser's plant at which any person whose place of business is located in Maricopa, Pinal, Pima, Graham, Yuma, and Mohave Counties (except that portion of the last named county lying north of the Colorado River, in the state of Arizona, may purchase milk from a producer for resale for human consumption as fluid milk, except as provided in paragraph (c) below, shall be the purchaser's previous maximum price for such producer as determined under Maximum Price Regulation No. 329, or the adjusted maximum price as specified below, whichever is higher.

(1) For purchases of milk on a milk fat basis by purchasers whose plants are located in Maricopa or Pinal Counties, the adjusted maximum price shall be \$.90 per pound milk fat.

(2) For purchases of milk on a milk fat basis by purchasers whose plants are located in Pima County, the adjusted maximum price shall be \$.99 per pound milk fat for non-mechanically refrigerated milk and \$1.04 per pound milk fat for mechanically refrigerated milk.

(3) For purchases of milk by purchasers whose plants are located in Mar-

icopa, Pinal, Pima, Graham, Yuma and Mohave Counties (except that portion of the last named county lying north of the Colorado River), on a gallon basis the adjusted maximum price shall be the purchaser's previous maximum price as determined under § 1351.402 of Maximum Price Regulation No. 329, plus \$.02 per gallon.

(c) Notwithstanding any provision of paragraph (a) or (b), no person whose place of business is located in the state of Arizona (except those portions of Mohave and Coconino Counties lying north of the Colorado River), may purchase fluid milk from a producer who sold fluid milk to another purchaser during August 15 to September 1, 1943, at a price in excess of the following: The "net price" per pound milk fat, or per gallon, whichever is applicable, which such producer could have realized as the maximum price (or any subsequent adjustment thereof), permitted to be paid under Maximum Price Regulation No. 329, or any orders issued thereunder, by the purchaser to whom such producer sold fluid milk during said period of August 15 to September 1.

(d) (7) "Net price" means the actual price received by the producer f. o. b. his dairy, as determined under section (b), or the price received by the producer determined under section (a), less the amount allowed for transportation from his dairy to purchaser's plant, as provided in section (b).

This amendment shall become effective October 15, 1943.

Issued this 14th day of October 1943.

EDGAR SINTON,  
Acting Regional Administrator.

[F. R. Doc. 43-17154; Filed, October 22, 1943;  
9:31 a. m.]

#### SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-801]

COLUMBIA GAS & ELECTRIC CORP. AND UNION LIGHT, HEAT AND POWER CO.

#### NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 20th day of October, 1943.

Notice is hereby given that a joint declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Columbia Gas & Electric Corporation, a registered holding company, and by The Union Light, Heat and Power Company, a subsidiary company of Columbia Gas & Electric Corporation.

Notice is further given that any interested person may, not later than November 4, 1943 at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time there-

after, such declaration, as filed or as amended, may become effective as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration, which is on file in the office of the Commission, for a statement of the transactions therein proposed, which are summarized below:

Columbia Gas & Electric Corporation proposes to make a capital contribution of \$414,000, together with 6% interest upon such amount from December 31, 1937, to the date of the contribution, to its subsidiary, The Union Light, Heat and Power Company for the stated purposes of:

(a) Eliminating an existing question as to whether some portion of the outstanding indebtedness of The Union Light, Heat and Power Company owing to Columbia Gas & Electric Corporation originated from dividends paid out of unearned or capital surplus; and

(b) Obtaining the removal of a restriction heretofore imposed by the Commission with respect to the payment of interest by Union on its 6% demand notes payable to Columbia Gas & Electric Corporation, as is more fully set forth in the Commission's Findings, Opinion and Order of January 27, 1940 (6 sec. 732).

The Union Light, Heat and Power Company contemplates utilizing the cash so received to retire part of its open account indebtedness presently owing to Columbia Gas & Electric Corporation, and will credit the sum comprising the capital contribution, to wit, \$414,000, to "Special Capital Surplus", which will subsequently be used for charges arising out of transactions applicable to periods prior to January 1, 1938, including adjustments required for the purpose of adjusting its utility plant account to original cost. The sum comprising the return of interest will be credited to "Earned Surplus Since December 31, 1937."

Columbia Gas & Electric Corporation proposes to increase the amount of its investment in the common stock of The Union Light, Heat and Power Company by \$414,000 and, at the same time, appropriate \$414,000 from "Special Capital Surplus", or "Surplus Prior to January 1, 1938", and create a reserve against said common stock investment. It is proposed that this reserve will be available for adjusting the investment in common stock at such time as The Union Light, Heat and Power Company may use all or some portion of the "Special Capital Surplus" created by the capital contribution. Such interest as may be paid to The Union Light, Heat and Power Company on the capital contribution will be

charged to "Earned Surplus Since December 31, 1937."

By the Commission.

[SEAL]

ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 43-17125; Filed, October 21, 1943;  
3:51 p. m.]

[File No. 70-789]

CONSOLIDATED ELECTRIC AND GAS COMPANY  
ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania on the 18th day of October 1943.

Consolidated Electric and Gas Company, a registered holding company, having heretofore filed a declaration, on its own behalf and that of certain affiliated companies, pursuant to Rule U-45 of this Commission promulgated under the Public Utility Holding Company Act of 1935, regarding a proposed change in the allocation of federal income and excess profits taxes among Consolidated Electric and Gas Company and those affiliated companies which join with it in the filing of a consolidated federal income and excess profits tax return;

The Commission, by order entered herein under date of October 7, 1943, having directed that a hearing be held upon the matters embraced in said declaration on October 21, 1943;

Consolidated Electric and Gas Company, subsequent to the entry of the order last above mentioned, having requested that the hearing so set be postponed to October 25, 1943, and the Commission having considered said request and finding the same proper to be granted;

It is ordered, That the hearing in this matter previously set for October 21, 1943 at 10:00 a. m., e. w. t., in the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, be, and the same is hereby, postponed to October 25, 1943, at the same hour and place;

It is further ordered, That the Secretary of the Commission shall serve notice of the postponement of said hearing by mailing a copy of this order to Consolidated Electric and Gas Company; and that notice of said hearing be given to all persons by publication of this order in the FEDERAL REGISTER.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing in lieu of the trial examiner heretofore designated. The officer so design-

nated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice.

By the Commission.

[SEAL]

ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 43-17124; Filed, October 21, 1943;  
3:51 p. m.]

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF  
ISSUANCE OF STOP CONSTRUCTION ORDERS  
STOPPING CONSTRUCTION OF CERTAIN  
PROJECTS

The War Production Board has issued certain stop construction orders listed in Schedule A below, stopping the construction of the projects affected. For the effect of each such order upon the construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued this 21st day of October 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

SCHEDULE A

Name and address of the builder	Location of project	Issuance date
West Virginia State Road Commission, Charleston, W. Va.	Near Pinto, W. Va.	10/14/43

[F. R. Doc. 43-17122; Filed, October 21, 1943;  
3:44 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF IS-  
SUANCE OF REVOCATION ORDERS REVOK-  
ING AND STOPPING CONSTRUCTION OF  
CERTAIN PROJECTS

The War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued this 21st day of October 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Location of project	Issuance date
P-19-E....	97165	Maryland State Roads Comm., Baltimore, Md.	On Pinto Road from intersection with U. S. 220 to Potomac River Bridge in Allegheny County.	10/14/43
P-19-H....	93696	Plantation Pipe Line Co., Atlanta, Ga.	Baton Rouge, La.	10/15/43

[F. R. Doc. 43-17123; Filed, October 21, 1943; 3:44 p. m.]









